



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

### Usage guidelines

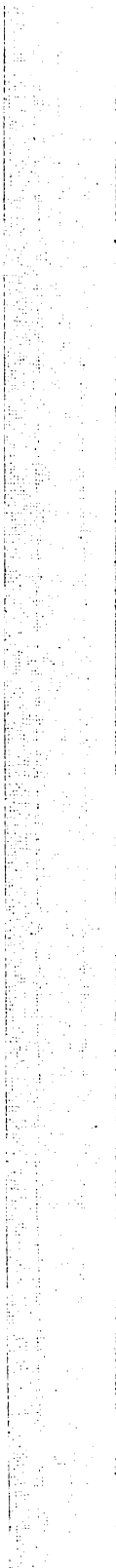
Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

### About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

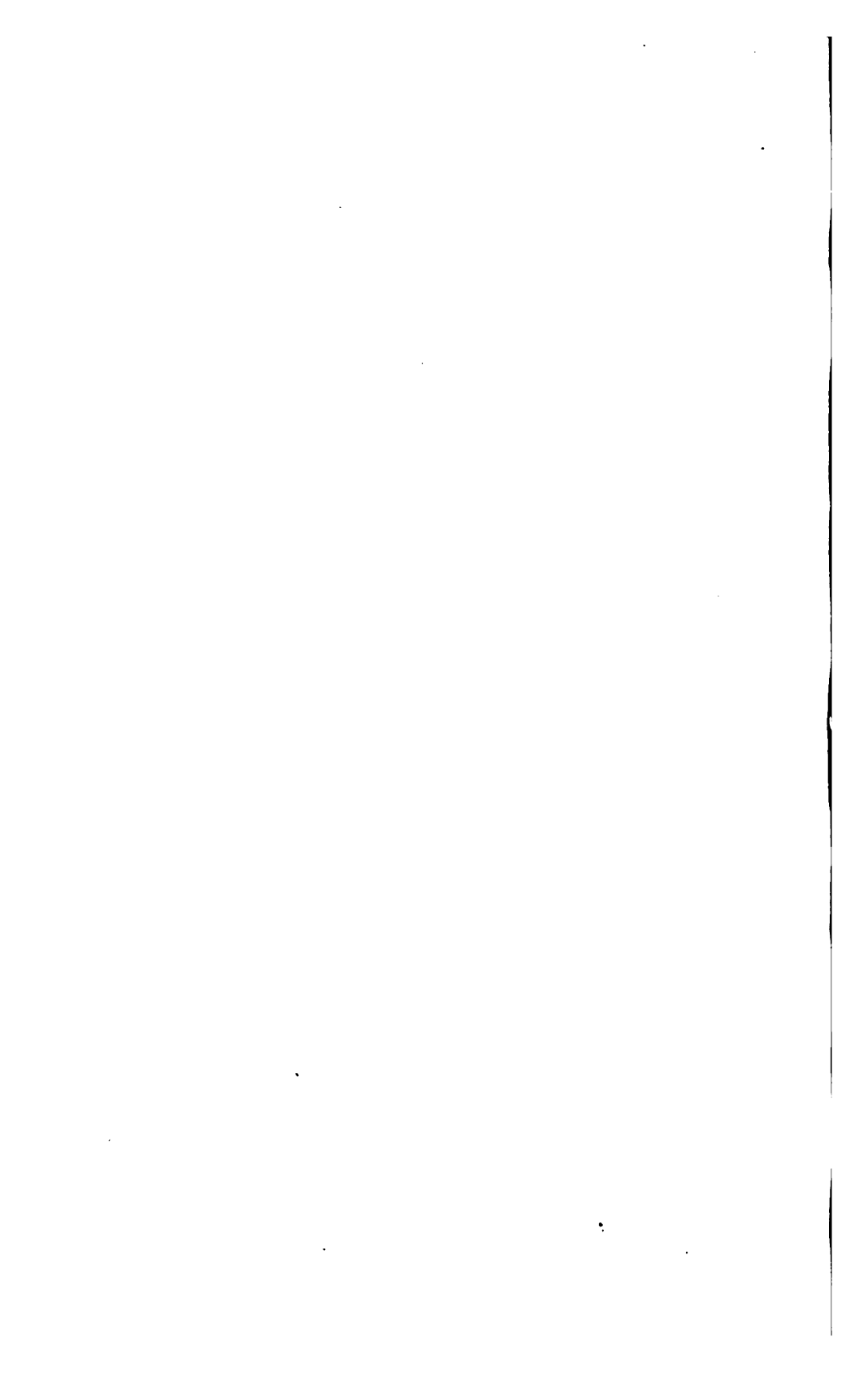




THE  
JOURNAL  
OF  
THE  
ROYAL  
ANTHROPOLOGICAL  
INSTITUTE  
OF  
Great Britain and Ireland  
Volume 40, Part 1, 1910  
Published by the Royal Anthropological Institute of Great Britain and Ireland  
21, BEDFORD SQUARE, LONDON, W.C.1  
Printed by the Royal Anthropological Institute of Great Britain and Ireland  
21, BEDFORD SQUARE, LONDON, W.C.1







*N. Y. City, Mayor, Chairman &  
Commonality.*

# AN ORDINANCE

ORGANIZING THE

## DEPARTMENTS

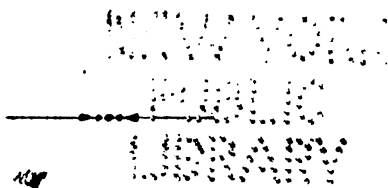
OF THE

# MUNICIPAL GOVERNMENT

OF THE CITY OF NEW YORK, *Corporation.*

AND

PREScribing THEIR POWERS AND DUTIES.

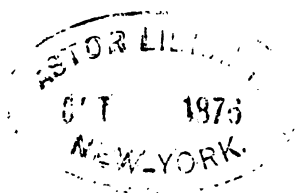


NEW YORK:

MCCLEODON & BAKER, PRINTERS, 25 PINE STREET.

1849.

P



ROY W. W. W.  
CLUB  
Y. A. F. E. L.



## TABLE OF CONTENTS.

---

	PAGE.
Introductory Provisions.....	9

### PART I.

#### OF THE LEGISLATIVE DEPARTMENT.

##### TITLE I.

Of the Common Council, and its powers and duties...	11
---	----

##### TITLE II.

Of the Officers of the Common Council.....	16
ARTICLE I.—Of the Clerk of the Common Council, and his Deputy and Assistants.....	16
II.—Of the Clerk of the Board of Assistant Aldermen.....	22
III.—Of the other Officers of the Common Council.....	24

### PART II.

#### OF THE EXECUTIVE DEPARTMENTS.

##### TITLE I.

Of the Executive Departments generally.....	27
---	----

TITLE II.

Of the Police Department.....	28
ARTICLE I.—Of the Mayor and the Officers immediately appertaining to his office.....	28
CHAPTER I.—The Mayor.....	28
II.—The Mayor's Clerk.....	29
III.—The First Marshal.....	32
IV.—The Mayor's Messenger.....	34
ARTICLE II.—Of the Bureaux in the Police Department	35
CHAPTER I.—The Bureau of the Chief of Police.....	35
II.—The Bureau of Inspection.....	41

TITLE III.

Of the Department of Finance.....	42
ARTICLE I.—Of the Department of Finance and its bureaux, generally.....	42
II.—Of the Comptroller, his deputy and clerks,	44
CHAPTER I.—The Comptroller .....	44
II.—The Deputy Comptroller.....	57
III.—Clerks in the office of the Comptroller ..	58
ARTICLE III.—Of the bureaux in the Department of Finance.....	62
CHAPTER I.—The Bureau of Taxes.....	62
II.—The Bureau of the City Revenue.....	64
III.—The Bureau of Deposit and Disbursement	66

**CONTENTS.**



**TITLE IV.**

<b>Of the Street Department.....</b>	<b>69</b>
<b>ARTICLE I.—Of the Street Department and its Bu- reaux, generally.....</b>	<b>69</b>
<b>II.—Of the Street Commissioner, his Deputy and Clerks.....</b>	<b>71</b>
<b>CHAPTER I.—The Street Commissioner.....</b>	<b>71</b>
<b>II.—The Deputy Street Commissioner.....</b>	<b>79</b>
<b>III.—Clerks in the office of the Street Com- missioner,.....</b>	<b>81</b>
<b>ARTICLE III.—Of the Bureaux in the Street Depart- ment.....</b>	<b>88</b>
<b>CHAPTER I.—The Bureau of Assessments.....</b>	<b>83</b>
<b>II.—The Bureau of the Collection of Assess- ments.....</b>	<b>86</b>
<b>III.—The Bureau of Wharves.....</b>	<b>90</b>
<b>IV.—The Bureau of Lands and Places.....</b>	<b>93</b>
<b>V.—The Bureau of Surveying .....</b>	<b>95</b>

**TITLE V.**

<b>Of the Department of Repairs and Supplies .....</b>	<b>99</b>
<b>ARTICLE I.—Of the Department of Repairs and Sup- plies and its Bureaux, generally.....</b>	<b>99</b>
<b>II.—Of the Commissioner of Repairs and Supplies, and his Clerk.....</b>	<b>101</b>
<b>CHAPTER I.—The Commissioner of Repairs and Sup- plies.....</b>	<b>101</b>

CHAPTER II.—Clerks in the office of the Commissioner of Repairs and Supplies.....	104
ARTICLE III.—Of the Bureaux in the Department of Repairs and Supplies.....	105
CHAPTER I.—The Bureau of Roads.....	105
II.—The Bureau of Public Buildings.....	108
III.—The Bureau of Street Paving.....	112
IV.—The Bureau of Supplies for the Fire De- partment.....	115

## TITLE VI.

The Department of Streets and Lamps.....	118
ARTICLE I.—Of the Department of Streets and Lamps and its Bureaux, generally.....	118
II.—Of the Commissioner of Streets and Lamps, and his Clerks.....	120
CHAPTER I.—The Commissioner of Streets and Lamps	120
II.—The Clerk in the office of the Commis- sioner of Streets and Lamps.....	123
ARTICLE III.—Of the Bureaux in the Department of Streets and Lamps.....	124
CHAPTER I.—The Bureau of Lamps and Gas.....	124
II.—The Bureau of Cleaning Streets.....	128
III.—The Bureau of Markets.....	134

## TITLE VII.

Of the Croton Aqueduct Department.....	142
ARTICLE I.—Of the Croton Aqueduct Department and its Bureaux, generally.....	142

## **CONTENTS.**

<b>ARTICLE II.—Of the Croton Aqueduct Board.....</b>	<b>1</b>
<b>III.—Of the Bureaux of the Croton Aqueduct         Department.....</b>	<b>153</b>
<b>CHAPTER I.—The Bureau of Water Rents.....</b>	<b>153</b>
<b>II.—The Bureau of Pipes and Sewers.....</b>	<b>155</b>

## **TITLE VIII.**

<b>Of the City Inspector's Department.....</b>	<b>158</b>
<b>ARTICLE I.—Of the City Inspector's Department,         generally .....</b>	<b>158</b>
<b>II.—Of the City Inspector and his Clerk...</b>	<b>158</b>
<b>III.—Of the Deputy City Inspector.....</b>	<b>164</b>

## **TITLE IX.**

<b>Of the Alms House Department.....</b>	<b>166</b>
--	------------

## **TITLE X.**

<b>Of the Law Department.....</b>	<b>167</b>
<b>ARTICLE I.—Of the Law Department and its Bureaux,         generally .....</b>	<b>167</b>
<b>II.—Of the Counsel to the Corporation, and         his Clerks.....</b>	<b>168</b>
<b>III.—Of the Bureaux in the Law Department.</b>	<b>174</b>
<b>CHAPTER I.—The Bureau of the Corporation Attorney</b>	<b>174</b>
<b>II.—The Bureau of the Public Administrator.</b>	<b>180</b>

## **TITLE XI.**

<b>Of the Fire Department.....</b>	<b>186</b>
------------------------------------	------------

**PART III.****MISCELLANEOUS PROVISIONS RESPECTING THE EXECUTIVE DEPART-  
MENTS OF THE CORPORATION, AND THEIR OFFICERS.****TITLE I.**

<b>Of the appointment of the Officers of the Departments and Bureaux, their oaths of office, and their re- moval.....</b>	<b>188</b>
---	------------

**TITLE II.**

<b>Of the accountability of the Officers of the Departments and Bureaux.....</b>	<b>195</b>
--	------------

**TITLE III.**

<b>Of Contracts for Supplies, and work for the Corpora- tion.....</b>	<b>199</b>
<b>Ordinances inconsistent with this ordinance, repealed.</b>	<b>207</b>
<b>Ordinance to take effect.....</b>	<b>207</b>

**AN ORDINANCE**  
**ORGANIZING THE**  
**DEPARTMENTS OF THE MUNICIPAL GOVERNMENT**  
**OF THE CITY OF NEW YORK,**  
**AND**  
**PRESCRIBING THEIR POWERS AND DUTIES.**

---

*The Mayor, Aldermen and Commonalty of the City  
of New-York, in Common Council convened, do  
ordain as follows :*

§ 1. THE powers and duties of the Mayor,  
Aldermen and Commonalty of the city of New  
York, are divided into

1. LEGISLATIVE ; and
2. EXECUTIVE.

§ 2. The legislative power of the Corporation is vested in the Board of Aldermen and the Board of Assistant Aldermen, who, together, form the Common Council of the city.

§ 3. The executive power of the Corporation is vested in the Mayor and in the heads of the several departments, mentioned in section 50, and in such other executive officers as may be created by law.



**PART I.**  
**OF THE LEGISLATIVE DEPARTMENT.**

---

**TITLE I.—OF THE COMMON COUNCIL, AND ITS  
POWERS AND DUTIES.**

**II.—OF THE OFFICERS OF THE COMMON  
COUNCIL.**

**TITLE I.**  
**OF THE COMMON COUNCIL, AND ITS POWERS  
AND DUTIES.**

§ 4. The Board of Aldermen and the Board of Assistant Aldermen, composing the Common Council, shall sit in separate chambers, and shall transact the legislative business of the Corporation, as prescribed by the charter of the city of New York, and the various acts amending the same.

§ 5. Neither the Common Council, nor any member thereof, can perform any executive busi-

ness whatever, except such as is or shall be specially imposed on them by the laws of this state; and except that the Board of Aldermen may approve or reject the nominations made to them by the Mayor, or by the heads of departments or bureaux, as provided by sections 9 and 20, of the act of April 2, 1849, to amend the charter of the city of New York; and except also, that the Common Council may approve or reject the nomination of the Chief of Police, when made to them by the Mayor.

§ 6. All ordinances and resolutions heretofore adopted, and now in force, authorizing the appointment of committees of the Common Council with executive powers, or conferring such powers on any committee, or authorizing a committee to do any act other than to report the facts in relation to the subject referred, with their opinion for the consideration of the Board, are repealed.

§ 7. No joint committee shall hereafter be created or appointed by the Common Council, except a Joint Committee on Accounts, consisting of three members of each Board, who shall, once

in three months examine the accounts of the several executive departments, and report any delinquencies or errors therein, to the Common Council; and except the Joint Croton Aqueduct Committee of the Common Council, to be appointed according to, and exercise the powers conferred by the act of April 11, 1849, to create the Croton Aqueduct Department in the city of New York.

§ 8. No committee shall hereafter be created or appointed by either Board of the Common Council, who shall have power to do any act other than to report the facts in relation to the subject referred, with their opinion thereon, for the consideration of the Board, except as provided in the last section.

§ 9. A committee of either Board, in reporting upon a subject referred to them, must attach to their report all resolutions, petitions, remonstrances, and other papers in their possession, relative to the matters referred.

§ 10. No report of a committee of either Board shall be printed, unless by the express direction

of the Board in which it is presented, or to which it is sent, specifying the number of copies to be printed.

§ 11. Each Board shall transmit to the other, every ordinance or resolution requiring a concurrent action, together with all papers on which it was founded.

§ 12. When an ordinance or resolution which shall have passed one Board, is rejected in the other; it shall be returned to the Board in which it originated, together with all papers on which it was founded, with notice of its rejection.

§ 13. Messages from one Board to the other, shall be communicated by their respective clerks, unless the Board transmitting the message shall specially direct otherwise.

§ 14. Either Board may amend any amendment made by the other, to an ordinance or resolution.

§ 15. In case of a difference between the two boards upon any subject of legislation, either Board may request a conference and appoint a committee

for that purpose ; and the other shall also appoint a committee to confer. The committee shall meet at a time and place to be appointed by the chairman of the committee on the part of the Board requesting the conference. The committee of each Board shall report in writing to the Board appointing them, and may report such modifications or amendments as they think proper. When either Board shall have acted thereon, they shall transmit the same, and the papers relating thereto, to the other, with a message certifying their action thereon.

§ 16. Either Board may recede from its action on any subject matter of difference between the two Boards, at any time previous to a conference, whether the papers on which the difference arose, are before the Board receding, formally or informally.

§ 17. If both Boards adhere to their disagreement, the ordinance or resolution shall be deemed lost, and shall not be again revived during the same session.

§ 18. All committees of conference shall consist of three members of each Board, unless otherwise specially ordered by concurrent resolution.

## TITLE II.

### OF THE OFFICERS OF THE COMMON COUNCIL.

ARTICLE I.—OF THE CLERK OF THE COMMON COUNCIL, AND HIS DEPUTY AND ASSISTANTS.

II.—OF THE CLERK OF THE BOARD OF ASSISTANT ALDERMEN.

III.—OF THE OTHER OFFICERS OF THE COMMON COUNCIL.

### ARTICLE I.

OF THE CLERK OF THE COMMON COUNCIL, AND HIS DEPUTY AND ASSISTANTS.

§ 19. The Board of Aldermen shall appoint a clerk, who shall hold his office during the continuance of the Board by which he is appointed,

and until his successor shall be duly appointed and qualified. He may, however, at any time be removed by that Board, and another clerk be appointed in his stead, who shall hold his office during the unexpired term of the clerk so removed.

§ 20. The clerk so appointed, shall, by virtue of his office, be Clerk of the Common Council, and of the Board of Health, and the Board of Supervisors. The title of his office shall be Clerk of the Common Council.

§ 21. Before entering upon the duties of his office, he shall execute a bond to the Corporation, with one or more sureties, to be approved by the Comptroller, in the penal sum of five thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 22. He shall attend all the meetings of the Board of Aldermen, and of the Board of Health, and the Board of Supervisors, and shall keep the minutes thereof, proper records of which he shall cause to be made and kept in his office, in books to be provided for that purpose.

§ 23. He shall keep the common seal of the Corporation, and cause it to be affixed to all instruments in writing, made or executed by order of the Common Council, pursuant to the charter of the city, or any law of the state.

§ 24. He shall keep the seal of the Mayoralty, and cause the same to be affixed to such instruments as the Mayor shall from time to time direct.

§ 25. He shall issue notices to the members of the Board of Aldermen, the Board of Health, and the Board of Supervisors, when directed by those Boards respectively, and to the members of the different committees of those Boards, and all persons whose attendance will be required before any such committee, when directed by the chairman thereof.

§ 26. He shall, without delay, deliver to all officers of the Corporation, or of the Board of Health, or the Board of Supervisors, and to all committees of those Boards, or of the Board of Aldermen, all resolutions and communications



referred to those officers or committees by those Boards respectively.

§ 27. He shall, without delay, deliver to the Mayor, all ordinances or resolutions under his charge, which may require to be approved or otherwise acted upon by the Mayor, with all papers on which the same were founded.

§ 28. He shall, on the day succeeding the approval by the Mayor of any ordinance or resolution, or on the day succeeding its return by the Mayor without approval or objection, by which the payment of any sum of money out of the public treasury is directed, deliver to the Comptroller a certified copy of the same.

§ 29. He shall receive and collect,

1. All fees, profits, revenues and emoluments granted by the charter to the Mayor, or which by virtue of the charter the Mayor is entitled to receive, except such fees and perquisites as the Mayor is legally entitled to, as clerk of the markets, or for granting tavern, excise and cartmen's licenses.

2. All fees for licenses to owners and drivers of hackney coaches, carriages and accommodation stages, and to butchers, pawn-brokers, dealers in second-hand articles, keepers of junk shops, keepers of intelligence offices, and sweepers of chimneys.

§ 30. He shall enter in a book, to be provided for that purpose and kept in his office, open at all convenient times to public inspection, the names of all persons from whom he may receive money, for the Corporation, the amounts received, and on what account, and when paid, and shall render an account thereof, under oath, item by item, to the Comptroller, on Thursday of each week, and shall thereupon pay over the amount so received, to the Chamberlain. He shall also thereupon receive from the Chamberlain a voucher for the payment thereof, which he shall forthwith, on the same day, exhibit to the Comptroller, and shall, at the same time, leave with him a copy thereof.

§ 31. There shall be a Deputy Clerk of the Board of Aldermen, who shall be appointed by, and hold his office during the pleasure of that Board.

§ 32. The deputy clerk of the Board of Aldermen shall assist the clerk of the Common Council in the performance of the duties of his office, and shall attend to such branches thereof as may be assigned to him by the clerk, and under his direction.

§ 33. In case of a vacancy in the office of the clerk of the Common Council, the deputy clerk of the Board of Aldermen shall act as clerk until the vacancy shall be filled by a new appointment, and until the person appointed shall be duly qualified.

§ 34. Before entering upon the duties of his office, the deputy clerk of the Board of Aldermen shall execute a bond to the Corporation, with one or more sufficient sureties, to be approved by the Comptroller, in the penal sum of one thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 35. There shall be two Assistant Clerks in the office of the clerk of the Board of Aldermen, who shall be appointed by, and hold their offices respectively during the pleasure of the Board.

§ 36. The assistant clerks shall be employed in copying the minntes of the Board of Aldermen, the Board of Health, and the Board of Supervisors, and in preparing or copying such other documents and papers appertaining to the office of the clerk of the Common Council, as may be required, and in performing such other services in the office of the clerk as may be assigned them by the clerk or his deputy.

## ARTICLE II.

### OF THE CLERK OF THE BOARD OF ASSISTANT ALDERMEN.

§ 37. The Board of Assistant Aldermen shall appoint a Clerk, who shall hold his office during the continuance of the Board by which he is appointed, and until his successor shall be duly appointed and qualified. He may, however, at any time be removed by that Board, and another clerk be appointed in his stead, who shall hold his office during the unexpired term of the clerk so removed.

§ 38. Before entering upon the duties of his office, he shall execute a bond to the Corporation, with one or more sureties, to be approved by the Comptroller, in the penal sum of one thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 39. He shall attend all the meetings of the Board of Assistant Aldermen, and shall keep the minutes thereof, proper records of which he shall cause to be made and kept in his office, in books to be provided for that purpose.

§ 40. He shall issue notices to the members of the Board of Assistant Aldermen, when directed by the Board, and to the members of the different committees of the Board, and all persons whose attendance will be required before any such committee, when directed by the chairman thereof.

§ 41. He shall, without delay, deliver to all officers of the Corporation, and to all committees of the Board of Assistant Aldermen, all resolutions and communications referred to those officers or committees respectively, by that Board.

§ 42. He shall, without delay, deliver to the Mayor, all ordinances and resolutions\* passed by the Board of Aldermen, and concurred in by the Board of Assistant Aldermen, which may require to be approved or otherwise acted upon by the Mayor, with all papers on which the same were founded.

### ARTICLE III.

#### OF THE OTHER OFFICERS OF THE COMMON COUNCIL.

§ 43. A Reader to each Board shall be appointed by the President thereof, and shall hold his office during the pleasure of the President by whom he is appointed.

§ 44. The reader of each Board shall aid the President in reading the various ordinances, resolutions, communications and reports, which shall come before the Board.

§ 45. Each Board shall appoint a Sergeant-at-arms, who shall hold his office during the continuance of the Board by which he is appointed, and until his successor shall be duly appointed and

qualified. He may, however, at any time be removed by the Board appointing him, and another sergeant-at-arms be appointed in his stead, who shall hold his office during the unexpired term of the one so removed.

§ 46. The sergeant-at-arms of each Board shall attend all the meetings of the Board, and shall execute all lawful orders directed to him by the Board or the President thereof.

§ 47. There shall be a Messenger of the Board of Aldermen, who shall be appointed by, and hold his office during the pleasure of the Board.

§ 48. The messenger of the Board of Aldermen shall serve all notices and other official papers which shall be delivered to him for that purpose, by the President or Clerk of either Board.

## PART II.

### OF THE EXECUTIVE DEPARTMENTS.

---

#### TITLE I.—OF THE EXECUTIVE DEPARTMENTS, GENERALLY.

##### II.—OF THE POLICE DEPARTMENT.

##### III.—OF THE DEPARTMENT OF FINANCE.

##### IV.—OF THE STREET DEPARTMENT.

##### V.—OF THE DEPARTMENT OF REPAIRS AND SUPPLIES.

##### VI.—OF THE DEPARTMENT OF STREETS AND LAMPS.

##### VII.—OF THE CROTON AQUEDUCT DEPARTMENT.

##### VIII.—OF THE CITY INSPECTOR'S DEPARTMENT.

##### IX.—OF THE ALMS HOUSE DEPARTMENT.

##### X.—OF THE LAW DEPARTMENT.

##### XI.—OF THE FIRE DEPARTMENT.



**TITLE I.****OF THE EXECUTIVE DEPARTMENTS GENERALLY.**

§ 49. The executive power of the Corporation is vested in the Mayor and in the heads of the several departments hereby organized, and in such other executive officers as may be hereafter created by law.

§ 50. The following executive departments are hereby organized :

1. The Police Department ;
2. The Department of Finance ;
3. The Street Department ;
4. The Department of Repairs and Supplies ;
5. The Department of Streets and Lamps ;
6. The Croton Aqueduct Department ;
7. The City Inspector's Department ;
8. The Alms House Department ;
9. The Law Department ;
10. The Fire Department.

## TITLE II.

### OF THE POLICE DEPARTMENT.

ARTICLE I.—OF THE MAYOR AND THE OFFICERS  
IMMEDIATELY APPERTAINING TO HIS  
OFFICE.

II.—OF THE BUREAUX IN THE POLICE  
DEPARTMENT.

#### ARTICLE I.

OF THE MAYOR AND THE OFFICERS IMMEDIATELY  
APPERTAINING TO HIS OFFICE.

CHAPTER I.—THE MAYOR.

II.—THE MAYOR'S CLERK.

III.—THE FIRST MARSHAL.

IV.—THE MAYOR'S MESSENGER.

#### CHAPTER I.

##### THE MAYOR.

§ 51. The Mayor shall continue to possess the  
powers and execute the duties conferred and im-

posed upon him by the charter of the city, and the various acts amending the same, by the laws of the state, and by the ordinances and resolutions of the Common Council, except where those ordinances or resolutions are inconsistent with this ordinance.

§ 52. The Mayor may, whenever he shall deem it necessary, issue his proclamation for the apprehension of any person who may have committed a crime within the city of New York, and may, in such proclamation, offer a reward, not exceeding five hundred dollars, to be paid out of the city treasury, upon the certificate of the Mayor that the service required has been performed.

## CHAPTER II.

### THE MAYOR'S CLERK.

§ 53. There shall be an officer to be denominated the Mayor's Clerk, who shall be appointed by, and hold his office during the pleasure of the Mayor.

§ 54. Before entering upon the duties of his

office, the Mayor's clerk shall execute a bond to the Corporation, with one or more sufficient sureties, to be approved by the Comptroller, in the penal sum of one thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 55. It shall be the duty of the Mayor's clerk,

1. To receive the report of the masters or commanders of ships or vessels from foreign ports and coastwise, required by law; to present them to the Mayor for endorsement, and thereupon to transmit them to the Commissioners of Emigration.

2. To prepare and file in the Mayor's office, all oaths of office required to be taken before the Mayor.

3. To take the bonds of such officers as are required to give security before the Mayor, and to transmit them to the Comptroller, to be approved and filed.

4. To prepare all such proofs or acknowledgments of deeds, or other instruments, as require the official attestation of the Mayor.

5. To preserve and keep in the Mayor's office, all books and papers which are usually filed, or which are required by law to be filed therein.

6. To collect and receive all fees which are incident to, or payable for the services performed by the Mayor, and mentioned in this section.

7. To deliver to the respective Boards, all messages from the Mayor, in writing.

8. To attend in the Mayor's office during the usual office hours, and to perform such other services as may be required by the Mayor.

§ 56. He shall enter in a book, to be provided for that purpose, and kept in the Mayor's office, open at all convenient times to public inspection, the names of all persons from whom he may receive money, as authorized by the last section, the amounts received and on what account and when paid; and shall render an account thereof, under oath, item by item, to the Comptroller, on Thursday of each week; and shall thereupon pay over the amount so received to the Chamberlain. He shall also thereupon receive from the Chamberlain

a voucher for the payment thereof, which he shall forthwith on the same day exhibit to the Comptroller, and shall, at the same time, leave with him a copy thereof.

### CHAPTER III.

#### THE FIRST MARSHAL.

§ 57. There shall be an officer to be denominated the First Marshal, who shall be appointed by, and hold his office during the pleasure of the Mayor.

§ 58. Before entering upon the duties of his office, the first marshal shall execute a bond to the Corporation, with one or more sureties, to be approved by the Comptroller, in the penal sum of five thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 59. It shall be the duty of the first marshal,

1. To issue and cause to be delivered or published, all notices or requisitions to the different departments or officers of the Corporation, or others, as the Mayor may direct.

2. To superintend, under the direction of the Mayor, and the Aldermen and Assistant Aldermen of the respective wards, the granting of tavern or excise licenses, and to receive the fees therefor.

3. To superintend, under the direction of the Mayor, the granting of licenses to cartmen, public porters and hand-cartmen, and to receive the fees therefor.

4. To receive the fees, profits, revenues and emoluments granted by the charter to the Mayor, or which by virtue of the charter the Mayor is entitled to receive, except those mentioned in sections 29 and 55.

§ 60. He shall enter in a book, to be provided for that purpose and kept in the Mayor's office, open at all convenient times to public inspection, the names of all persons from whom he may receive money as authorized by the last section, the amounts received, and on what account and when paid, and shall daily render an account thereof, under oath, item by item, to the Comptroller, and shall thereupon daily pay over the amount so received to the Chamberlain. He shall also

thereupon receive from the Chamberlain a voucher for the payment thereof, which he shall forthwith on the same day exhibit to the Comptroller, and shall, at the same time, leave with him a copy thereof.

#### CHAPTER IV.

##### THE MAYOR'S MESSENGER.

§ 61. There shall be an officer to be denominated the Mayor's Messenger, who shall be appointed by, and hold his office during the pleasure of the Mayor.

§ 62. The Mayor's messenger shall serve all notices and other official papers, which shall be delivered to him for that purpose by the Mayor, the Mayor's clerk or the first marshal, and perform such other duties as the Mayor may direct; and for the purpose of performing those duties he shall attend at the Mayor's office during the usual office hours.



## ARTICLE II.

### OF THE BUREAUX IN THE POLICE DEPARTMENT.

#### CHAPTER I.—THE BUREAU OF THE CHIEF OF POLICE.

##### II.—THE BUREAU OF INSPECTION.

#### CHAPTER I.

##### THE BUREAU OF THE CHIEF OF POLICE.

§ 63. The department now known as the Police Department, shall be a bureau in the police department hereby organized, and shall be denominated the Bureau of the Chief of Police ; and the head or chief officer thereof is denominated the Chief of Police.

§ 64. The officers of the existing police department, who are denominated captains and assistant captains of police, sergeants of police, policemen and doormen, shall be officers of the bureau of the Chief of Police.

§ 65. The several officers mentioned in the last two sections, shall continue to possess the powers

and to perform the duties conferred and imposed upon them by the laws of this state.

§ 66. The rules and regulations for the government of the police department heretofore prescribed by the Mayor, shall continue to govern the officers of this bureau ; but the Mayor may at any time abrogate or alter those regulations, or substitute others in their stead.

§ 67. The policemen for the various wards of the city of New York, including captains, assistant captains and sergeants, shall continue to be apportioned as follows :

To the First Ward,	-	-	Fifty-nine.
“ Second “	-	-	Forty-three.
“ Third “	-	-	Forty-three.
“ Fourth “	-	-	Sixty.
“ Fifth “	-	-	Fifty-nine.
“ Sixth “	-	-	Sixty-six.
“ Seventh “	-	-	Sixty-three.
“ Eighth “	-	-	Fifty-six.
“ Ninth “	-	-	Fifty.
“ Tenth “	-	-	Forty-eight.

To the Eleventh Ward,	-	Forty-five.
“ Twelfth “ -	-	Thirty-three.
“ Thirteenth “ -	-	Forty-eight.
“ Fourteenth “ -	-	Fifty-four.
“ Fifteenth “ -	-	Forty.
“ Sixteenth “ -	-	Forty-three.
“ Seventeenth “ -	-	Fifty-one.
“ Eighteenth “ -	-	Forty-three.

§ 68. There shall be appointed two clerks, who shall be denominated Clerks to the Chief of Police, and who shall perform all such duties appertaining to his bureau as he may require.

§ 69. There shall be appointed for each ward, by the Alderman and Assistant Alderman thereof, two persons to be denominated door-keepers, who shall attend to the station houses of their respective wards, and shall keep the same in order, and act as door-keepers thereof, and perform such other duties as may be required of them by the captains of the wards respectively. .

§ 70. If a policeman shall necessarily incur an expense in conveying a person before a magis-

trate, or to a police station house, or to the hospital, by the employment of a cart or other vehicle, the Chief of Police shall refund the expense so incurred, upon the certificate of the magistrate or captain before whom the person is brought, stating that he was necessarily brought by the policeman before the magistrate or captain, on a cart or other vehicle. The certificate shall be in the following form :—

“ No.

Police District, No.

This is to certify that policeman A. B., has necessarily brought to this office C. D., [or a person whose name is unknown] in [a cart.]

Amount \$

New York,

1849.

To E. F.,                      G. H., Police Justice.  
Chief of Police,    { [or Captain of ——— District.”]

§ 71. The captains of police, or in their absence, the assistant captains may furnish food to persons in custody in their respective station houses, and who are in a suffering condition, the expense whereof shall be paid by the Chief of Police upon

the affidavit of the captain or either of the assistant captains.

§ 72. If a policeman shall necessarily incur an expense in conveying stolen or other property to the office of the Chief of Police, or to a police court or police station house, the expense so incurred shall be refunded to him by the Chief of Police, on the certificate of the magistrate or captain to whom the property was delivered.

§ 73. For the purpose of defraying any expense which may be incurred in pursuance of the last three sections, the Chief of Police may, by a requisition in writing, to be countersigned by the Mayor, draw upon the Comptroller for a sum not exceeding one hundred dollars. He may in like manner renew the draft as often as may be necessary; but no such renewal shall be made until the money paid upon the previous draft shall be accounted for to the Comptroller, by satisfactory vouchers for the expenditure of the money paid thereon.

§ 74. When a draft shall be made upon the

Comptroller in conformity with the last section, he shall draw his warrant in favor of the Chief of Police for the amount thereof.

§ 75. The officers of this bureau are required, to the utmost of their ability, to act in the enforcement of the Corporation ordinances now in force in relation to carts and cartmen, cabs and cabmen, hackney coaches and hackney coachmen, stages and accommodation coaches and their drivers, omnibuses and omnibus drivers, and public porters and of hand-cartmen, and all ordinances of the Corporation to prevent evil practices, and relating to the police of the city.

§ 76. The police station houses in the different districts shall be deemed a portion of the city prison and bridewell, for the purpose of keeping and detaining persons committed for examination, and for no other purpose whatever; and the captains and assistant captains of each district, shall be the keepers thereof respectively, and shall for that purpose be deemed deputy keepers of the city prison and bridewell.

## CHAPTER II.

## OF THE BUREAU OF INSPECTION.

§ 77. There shall be a bureau in the Police Department, to be denominated the Bureau of Inspection.

§ 78. The officers of this bureau shall be the inspectors of weights and measures,—the city sealers of weights and measures,—the weighmasters, measurers and gaugers,—the ballast masters,—the weighers of anthracite or hard coal,—the inspectors of firewood,—the weighers of hay,—the inspectors of dressed hay,—the inspectors of lime, and the master of the public pound.

§ 79. The officers mentioned in the last section shall possess the powers, and perform the duties conferred and imposed upon them, respectively, by the charter of the city, and the various acts amending the same, by the laws of this state, and by the ordinances and resolutions of the Common Council, except where those ordinances or resolutions are inconsistent with this ordinance.

### TITLE III.

#### OF THE DEPARTMENT OF FINANCE.

##### ARTICLE I.—OF THE DEPARTMENT OF FINANCE, AND ITS BUREAUX, GENERALLY.

##### II.—OF THE COMPTROLLER, HIS DEPUTY, AND CLERKS.

##### III.—OF THE BUREAUX IN THE DEPART- MENT OF FINANCE.

#### ARTICLE I.

##### OF THE DEPARTMENT OF FINANCE, AND ITS BUREAUX GENERALLY.

§ 80. The Department of Finance shall have control of all the fiscal concerns of the Corporation, and shall prescribe the forms of keeping and rendering all city accounts whatever; and all accounts rendered to or kept in the several departments of the city government, shall be subject to the inspection and revision of the officers of this department.



§ 81. It shall also settle and adjust all claims whatsoever, by the Corporation or against them, and all accounts whatsoever, in which the Corporation is concerned, either as debtor or creditor.

§ 82. There shall be three bureaux in the department of finance :

1. A bureau for the collection of the revenue accruing from taxes, to be called the Bureau of Taxes;

2. A bureau for the collection of the revenue accruing from rents, and interests on bonds and mortgages, to be called the Bureau of the City Revenue ;

3. A bureau for the reception of all moneys paid into the treasury of the city, and for the payment of moneys therefrom, to be called the Bureau of Deposit and Disbursement.

## ARTICLE II.

OF THE COMPTROLLER, HIS DEPUTY AND CLERKS.

CHAPTER I.—THE COMPTROLLER.

II.—THE DEPUTY COMPTROLLER.

III.—CLERKS IN THE OFFICE OF THE  
COMPTROLLER.

### CHAPTER I.

#### THE COMPTROLLER.

§ 83. The chief officer of the department of finance shall be called the Comptroller of the city of New York.

§ 84. Before entering upon the duties of his office, the Comptroller shall execute to the Corporation, a bond, with at least two sufficient sureties, to be approved by the Mayor, and filed in the Mayor's office, in the penal sum of twenty thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 85. The Comptroller shall superintend the fiscal concerns of the Corporation, and manage

the same in the manner required by the charter of the city, and the various acts amending the same, by the laws of this state, and by the ordinances or resolutions of the Common Council, not inconsistent with this ordinance.

§ 86. He shall, from time to time, and as often as he may deem necessary, suggest to the Common Council plans for the improvement and management of the city revenue.

§ 87. He shall superintend all the real estate of the Corporation, and report to the Common Council all encroachments thereon.

§ 88. He shall keep and file in his office all title deeds, leases, mortgages, or other assurances of title, and all evidences of debt, contracts, bonds of indemnity, and official bonds, except such as are directed by this ordinance to be deposited elsewhere.

§ 89. He shall cause all grants, leases and counterparts of leases or deeds, executed by the Corporation, to be recorded in proper books, to be kept in his office.

§ 90. He shall cause a proper map or survey of all lands or premises granted, conveyed or leased by the Corporation, to be annexed to the grant, deed or lease thereof, and to be therein referred to, before the execution thereof.

§ 91. He shall cause a proper map or survey of all lands or premises ceded, granted, conveyed or leased to the Corporation, to be annexed to the cession, grant, deed or lease thereof, and to be therein referred to, before the execution or acceptance thereof.

§ 92. He shall direct and superintend the collection of all rents, or other moneys due to the Corporation, and at least once in each month, furnish to the collector of the city revenue, accurate accounts of all such rents or moneys as shall remain unpaid.

§ 93. He shall examine, audit, adjust and settle all accounts whatsoever, in which the Corporation is concerned, either as debtor or creditor, where provision for the settlement thereof is made by law, and the settlement of which is not especially

committed by ordinance to some other authority; and where no such provision, or an insufficient provision has been made, he shall examine such accounts, and report to the Common Council the facts relating thereto, with his opinion thereon.

§ 94. He shall draw and sign all warrants on the Chamberlain, for moneys which he is authorized to draw from the treasury, and present the same to the Mayor and the clerk of the Common Council, to be countersigned by them, respectively. But no such warrant shall be drawn, unless the sum specified therein is embraced in an appropriation previously made for that purpose by the Common Council; nor shall the Chamberlain pay the same, unless the ordinance or resolution making the appropriation be distinctly referred to therein.

§ 95. He shall supervise the fiscal concerns of all departments, bureaux and officers of the Corporation, who shall receive or disburse the public moneys, or who are charged with the management or custody thereof, and may require at any time from those departments, bureaux or officers, an

account in writing, of any moneys or property of the Corporation in their hands or under their control.

§ 96. He shall report to the Common Council immediately upon its discovery, any default or delinquency in any of the departments, bureaux or officers of the Corporation, in respect to the matters mentioned in the last section.

§ 97. He shall compare the quarterly accounts of the Chamberlain with the vouchers relating to the same, and with the books of the department, and report those accounts, with such information in respect thereto as may be proper, to the Common Council, or to either Board thereof, at its next meeting.

§ 98. He shall keep true and accurate accounts of all matters appertaining to the department, and on the first Wednesday of each month, submit to the joint committee of accounts, to be created as provided in section 7, for their examination, a full and detailed statement of the accounts of the department for the previous month, together with the accompanying vouchers.

§ 99. He shall submit to the Common Council, on or before the first day of November in each year, a detailed estimate of the receipts and expenditures for the year commencing on the first of January following, in order that the annual appropriations may then be made ; and also an estimate of the probable amount of tax that may be required for the year commencing on the first of January following, with the draft of an act authorizing the raising of such tax, in order that an application may be made to the Legislature for authority to levy the same.

§ 100. He shall report to the Common Council within thirty days after their organization in each year, a statement of all contracts made by the Corporation, or directed or authorized by the Common Council, and not performed or completed, or upon which any money remains unpaid, with the amount of money so remaining unpaid on each.

§ 101. He shall report forthwith to the Common Council every case in which an appropriation is exhausted, the object of which is not complet-

ed, and accompany such report with a statement of the moneys which have been drawn on such appropriation, the particular purposes for which they were drawn, and the cause of the deficiency, and an estimate of the amount that will be necessary to complete the object of the appropriation.

§ 102. He shall report to the Common Council at its first meeting in January in each year, for the general information of the citizens of the city of New York, a full and detailed statement, setting forth,

1. The receipts and expenditures of the Corporation during the preceding year, and the different sources of the city revenue, and the amount received from each ;
2. The several appropriations made by the Common Council, the objects for which they were made, and the amount of moneys expended under each appropriation ;
3. The moneys borrowed on the credit of the Corporation, the authority for each loan, and the terms upon which it was obtained.



§ 103. He shall on the second Monday of January, in each year, advertise for sale, according to law, all property upon which any tax legally assessed shall have remained due for one year, and sell the same as required by law, unless the tax be in the mean time paid.

§ 104. He shall direct legal proceedings to be taken, when necessary, to enforce payment of rents or other debts due to the Corporation, or to obtain possession of premises to which the Corporation is entitled.

§ 105. He shall, as often as the state of the sinking fund shall render it necessary, advertise and sell at auction or private sale, as in his judgment may be most expedient, the water lot quit-rents belonging to the Corporation, in such parcels and on such terms as the Common Council and the Commissioners of the Sinking Fund may prescribe, and cause proper conveyances to be executed to the purchasers; the avails of which sales shall be deposited in the treasury to the credit of the sinking fund.

§ 106. He may consent in the name and on behalf of the Corporation, that the lessee or assignee of a lease made by the Corporation, may assign the same, or underlet the demised premises, where provision is made by the lease that it shall not be assigned or the premises underlet without the consent of the Corporation; but he shall not so consent, unless all arrears of rent and all taxes or assessments upon the premises be paid.

§ 107. When provision shall be made by a lease, to which the Corporation is a party, or in which it is interested, that appraisers on behalf of the Corporation to determine the rent on renewal of the lease, or the value of buildings to be paid for on the expiration thereof shall be appointed; the appraiser or appraisers on the part of the Corporation may be appointed by the Mayor and the Comptroller.

§ 108. The Comptroller may accept the cession of streets or avenues or parts thereof not ceded or opened, on receiving a sufficient conveyance thereof to the Corporation, with a map of the ceded premises annexed thereto, and a certificate

of the Counsel to the Corporation, approving the same. But in all cases the expense of the cession must be paid by the party by whom it is made.

§ 109. When several lots or parcels of land belonging to different persons are assessed for taxes in one parcel, the Comptroller may make the proper apportionment of the tax among the different owners, or may in cases of difficulty, report the facts to the Common Council, to the end that the apportionment may be made by them.

§ 110. The Comptroller shall preserve in a book to be kept in his office for that purpose, to be called the Record of Quit-rents, maps of all grants of land, now or hereafter made by the Corporation, on which quit-rents are payable, showing the original grants, and the subdivisions of the same, as near as they can be ascertained.

§ 111. He shall enter in the record of quit-rents, immediately following each map, the names of the owners of the different lots described thereon, with the portion of the quit-rent to which each is subject; and he may receive the sums proportion-

ably due from each owner in payment of his portion of the moneys payable under the original grant, as the same shall from time to time become payable.

§ 112. He shall, on receiving written notice from the grantee of the Corporation or his assignee, of the sale of any portion of land subject to a quit-rent, enter in the record of quit-rents the name of the purchaser, with the date of the sale and the portion of the land sold; and he may thereafter receive the sum proportionably due from such purchaser, in payment of his portion of the moneys payable under the original grant, as the same shall from time to time become payable.

§ 113. He shall cause to be inserted in all grants of land subject to a quit-rent, a covenant requiring the grantee or his legal representatives, when he or they shall sell the whole or a portion of the land granted, to give to the Comptroller a written notice of the sale, within thirty days after it is made, specifying therein the name of the pur-

chaser, the quantity and location of the land sold, the amount of quit-rent to be paid thereon, and the day of the sale.

§ 114. Upon receiving the notice mentioned in the last section, the Comptroller shall enter the same in the record of quit-rents, and from that time he may receive from the owner of the lot or parcel mentioned in the notice, or his legal representatives, the sum proportionably due from him in payment of his portion of the moneys payable under the original grant.

§ 115. When land heretofore granted by the Corporation, subject to a quit-rent, portions of which have been assigned by the grantee, shall be re-entered by the Corporation for non-payment of the quit-rent, the Comptroller may grant releases in severalty to such of the assignees of portions of the land granted, as shall, within six months from the re-entry, pay their respective apportionments of commutation money, and the expenses of re-entry and conveyance, with such portions of the rent as may be justly due from the respective assignees for the land held by them,

and which shall be apportioned by the Comptroller.

§ 116. The releases and apportionment mentioned in the last section, shall not, however, be granted or made, unless the assignee requiring the same, or his legal representatives shall comply with the terms and conditions prescribed in that section, within thirty days after notice from the Comptroller requiring such compliance.

§ 117. The Comptroller may, from time to time, with the sanction of the Common Council, borrow on the credit of the Corporation, in anticipation of its revenues, such sum or sums, not exceeding in the whole the amount of such revenues, as may be necessary to meet expenditures under appropriations for the current year.

§ 118. Every loan to be effected, as authorized by the last section, shall be secured by the bonds of the Corporation, payable in not exceeding one year, in such sums as the Comptroller may deem proper, which shall be signed by the Comptroller, countersigned by the Mayor, and sealed with the common seal.

## CHAPTER II.

## THE DEPUTY COMPTROLLER.

§ 119. There shall be an officer in the Department of Finance, who shall be denominated the Deputy Comptroller.

§ 120. Before entering upon the duties of his office, the Deputy Comptroller shall execute a bond to the Corporation, with one or more sureties, to be approved by the Comptroller, in the penal sum of five thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 121. He shall keep a regular set of books by double entry, in which shall be opened and kept as many accounts, under appropriate titles, as may be necessary to show distinctly and separately all the receipts and expenditures of the Corporation, and all the debts due to it from others.

§ 122. He shall arrange and adjust the accounts and vouchers of the Department of Finance, and shall classify the accounts of each of the executive departments of the city government, under its appropriate head.

§ 123. He shall keep an accurate account, properly arranged and classified, of all the appropriations made by the Common Council, and of the sums expended under the same severally.

§ 124. In addition to the duties required of him by the last three sections, he shall keep so many and such books and accounts as may be necessary, and perform such other duties as may be directed by the Comptroller.

§ 125. In case of a vacancy in the office of the Comptroller, the Deputy Comptroller shall act as Comptroller, until the vacancy shall be filled by a new appointment, and until the person appointed shall be duly qualified.

### CHAPTER III.

#### CLERKS IN THE OFFICE OF THE COMPTROLLER.

§ 126. There shall be seven clerks in the Department of Finance, to be denominated respectively, the book-keeper, the stock clerk, the first auditor, the second auditor, the redemption clerk, the assistant auditor and the clerk to the Comptroller.



§ 127. The book-keeper shall, under the direction of the Deputy Comptroller, keep a regular set of books by double entry, in which shall be opened and kept as many accounts, under appropriate titles, as may be necessary to show distinctly and separately all the receipts and expenditures of the Corporation, all debts due to and by the Corporation, and all appropriations made by the Common Council, and the sums expended under the same respectively, and shall perform such other duties as may be directed by the Comptroller.

§ 128. The stock clerk shall, under the direction of the Comptroller, have charge of the various stocks and loans of the Corporation; prepare certificates for all new stocks or loans, and all transfers of stocks; make out the quarterly and semi-annual dividends on all stocks and loans; receive all temporary loans, and prepare bonds for the payment thereof; prepare warrants for the payment of all stocks and loans falling due, and enter in books to be provided for that purpose, the certificates, transfers, payments and bonds mentioned in

this section, and shall perform such other duties as may be directed by the Comptroller.

§ 129. The first auditor shall audit and prepare warrants for the payment of all bills presented for payment on city account, including the salaries of officers of the Corporation, and enter the same in books provided for that purpose, and shall perform such other duties as may be directed by the Comptroller.

§ 130. The second auditor shall audit and prepare warrants for the payment of all claims on trust account, and enter the same in books provided for that purpose, distributing the various accounts under appropriate heads, and shall also have charge of and keep the books of account of the Commissioners of the Sinking Fund, and shall perform such other duties as may be directed by the Comptroller,

§ 131. The redemption clerk shall prepare lists of property liable to be sold for unpaid taxes, and receive all moneys for the redemption of property sold for unpaid taxes, and shall enter the same in

books to be provided for that purpose, and shall perform such other duties as may be directed by the Comptroller.

§ 132. The assistant auditor shall have charge of, and make all entries in the proper books, showing the receipts and expenditures in relation to assessments for opening, regulating and paving streets, building and repairing wharves and piers, digging and building wells, constructing public roads, when done by assessment, and filling up sunken lots under ordinances of the Common Council. He shall also have charge of the books in reference to intestate estates, and shall file all returns, documents and vouchers appertaining to the department of finance, and shall perform such other duties as may be directed by the Comptroller.

§ 133. The clerk to the Comptroller shall enter in a book to be provided for that purpose, and kept in the Comptroller's office, all deeds, leases and mortgages of real estate in which the Corporation is interested.

§ 134. He, shall also enter in books provided for that purpose, all resolutions of the Common Council and of the Board of Health, and Board of Supervisors, relating to the department of finance; the official correspondence of the department, and all contracts or other documents appertaining thereto, and shall perform such other duties as may be directed by the Comptroller.

### ARTICLE III.

#### OF THE BUREAUX IN THE DEPARTMENT OF FINANCE.

##### CHAPTER I.—THE BUREAU OF TAXES.

##### II.—THE BUREAU OF THE CITY REVENUE.

##### III.—THE BUREAU OF DEPOSIT AND DIS- BURSEMENT.

#### CHAPTER I.

##### THE BUREAU OF TAXES.

§ 135. The provisions of the act of April 18, 1843, for the collection of taxes in the city of New York, and of the several acts amending the

same, shall apply to and govern the bureau of taxes, and the officers thereby created shall continue to be the officers of this bureau.

§ 136. The office for the collection of taxes in the city of New York, heretofore established by the Common Council, in pursuance of the acts mentioned in the last section, shall continue to be kept in the City Hall.

§ 137. There shall be four clerks in this bureau, who shall, respectively, be known as the first, second, third and fourth clerks to the Receiver of Taxes, and shall perform such services as may be assigned them respectively by the Receiver of Taxes.

§ 138. The Receiver of Taxes may, with the consent of the Common Council, from time to time, appoint as many additional clerks as may be necessary, not exceeding four, and for a period to be designated in such consent, at a rate of compensation not exceeding two dollars for each day.

§ 139. There shall be an officer in this bureau, to be called the Messenger to the Receiver of

Taxes, who shall serve the notices required by law, and perform such other duties as may be directed by the Receiver of Taxes.

## CHAPTER II.

### THE BUREAU OF THE CITY REVENUE.

§ 140. This bureau, the chief officer of which shall be called the Collector of the City Revenue, is charged with the duty of collecting all moneys accruing to the Corporation for rents and interest on bonds and mortgages, and all other debts due to the Corporation, which may be placed in his hands for collection, by the Comptroller.

§ 141. The Collector of the City Revenue shall, before entering upon the duties of his office, execute a bond to the Corporation, with one or more sureties, to be approved by the Comptroller, in the penal sum of fifteen thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 142. He shall enter in a book to be provided for that purpose, and kept in the office of the

Comptroller, open at all convenient times to public inspection, the names of all persons from whom he may receive money for the Corporation; the amounts received, and on what account and when paid, and shall daily render an account thereof, under oath, item by item, to the Comptroller, and shall thereupon daily pay over the amount so received to the Chamberlain. He shall also thereupon receive from the Chamberlain a voucher for the payment thereof, which he shall, on the same day, exhibit to the Comptroller, and shall, at the same time, leave with him a copy thereof.

§ 143. He shall report to the Comptroller all cases in which he shall be unable to collect a debt due to the Corporation, with the reason thereof, to the end that proper measures may be directed by the Comptroller to secure the same. He shall assist the Comptroller in ascertaining the fair rent of property belonging to the Corporation, and in renting the same.

§ 144. He shall attend daily at the office of the Comptroller, from eleven o'clock in the forenoon, to one o'clock in the afternoon, for the purpose of

performing such duties as are incident to his office.

### CHAPTER III.

#### THE BUREAU OF DEPOSIT AND DISBURSEMENT.

§ 145. This bureau, the chief officer of which, shall be called the Chamberlain of the City of New York, is charged with the duty of receiving moneys paid into the treasury of the city, and the payment of moneys therefrom.

§ 146. Before entering upon the duties of his office, the Chamberlain shall execute a bond to the Corporation, with one or more sureties, to be approved by the Comptroller, in the penal sum of twenty-five thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 147. The Chamberlain shall forthwith deposit all moneys which he may from time to time receive, in such one or more of the banks in the city of New York, as may be directed by the Common Council, or if no such direction be given, in such bank as he shall select.



§ 148. He shall, on Thursday in each week, report to the Comptroller the amount deposited by him, as required by the last section, the persons respectively, from whom it was received, and on what account, and the bank or banks in which it is deposited.

§ 149. He shall, on the first Monday in January, April, July and October, in each year, render to the Comptroller an account current of the moneys received and paid by him on account of the Corporation during the preceding quarter, and at the same time deliver to the Comptroller his vouchers for the same, with a certificate of the cashier of the bank in which his deposits are made, showing the amount standing to the credit of the treasury, and of the Commissioners of the Sinking Fund.

§ 150. He shall not pay any warrant drawn upon the treasury, unless it be drawn, signed and countersigned, and contain a distinct reference to the appropriation under which it is drawn, as prescribed by section 94.

§ 151. No money received by the Chamberlain

on account of the Corporation, and by him deposited as prescribed by section 147, shall be drawn from the bank or banks in which it is deposited, except on the warrant of the Comptroller, drawn, signed and countersigned, and containing a distinct reference to the appropriation under which it is drawn, as prescribed in section 94.

§ 152. The Comptroller shall, from time to time, deliver to the bank or banks in which the moneys of the Corporation may be deposited by the Chamberlain, a copy of sections 94, 147 and 151 of this ordinance.

§ 153. The Chamberlain may expend a sum not exceeding four hundred dollars in each year, for clerk hire connected with his bureau, and charge the same in his account with the Corporation.

## TITLE IV.

### OF THE STREET DEPARTMENT.

#### ARTICLE I.—OF THE STREET DEPARTMENT AND ITS BUREAUX, GENERALLY.

#### II.—OF THE STREET COMMISSIONER, HIS DEPUTY AND CLERKS.

#### III.—OF THE BUREAUX IN THE STREET DEPARTMENT.

#### ARTICLE I.

#### OF THE STREET DEPARTMENT AND ITS BUREAUX GENERALLY.

§ 154. The Street Department shall have cognizance of opening, regulating and paving streets; building and repairing wharves and piers; digging and building wells, and the construction of public roads, when done by assessment; improving public lands and places; the filling up of sunken lots, under ordinances of the Common Council from the City Inspector's department, and of collecting the assessments connected with such expenditures.

§ 155. There shall be five bureaux in the street department:

1. A bureau for the imposition and apportionment of assessments made under the ordinances of the Common Council, to be called the Bureau of Assessment.

2. A bureau for the collection of assessments, to be called the Bureau of the Collection of Assessments.

3. A bureau for the inspection and repairing of wharves and piers, to be called the Bureau of Wharves.

4. A bureau for the inspection and regulation of the public grounds and parks, to be called the Bureau of Lands and Places.

5. A bureau for the surveying of lands, to be called the Bureau of Surveying.

## ARTICLE II.

OF THE STREET COMMISSIONER, HIS DEPUTY AND  
CLERKS.

## CHAPTER I.—THE STREET COMMISSIONER.

## II.—THE DEPUTY STREET COMMISSIONER.

III.—CLERKS IN THE OFFICE OF THE  
STREET COMMISSIONER.

## CHAPTER I.

## THE STREET COMMISSIONER.

§ 156. The chief officer of the Street Department shall be denominated the Street Commissioner, who shall also, by virtue of his office, be one of the Surveyors of the city of New York.

§ 157. The Street Commissioner, before entering upon the duties of his office, shall execute a bond to the Corporation, with at least two sureties, to be approved by the Mayor, and filed in the office of the Comptroller, in the penal sum of ten thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 158. All contracts for work of any kind relating to opening, regulating and paving streets, building and repairing wharves and piers, digging and building wells, and constructing public roads, when done by assessment, and improving the public lands or places, and filling up sunken lots, under ordinances of the Common Council from the City Inspector's department, shall be made by the Street Commissioner, and bonds for the faithful performance thereof shall be taken and approved by him.

§ 159. All moneys payable by the Corporation for the performance of the contracts mentioned in the last section, or for work done under any bureau in the street department, shall be paid by the warrant of the Comptroller, drawn upon the requisition of the Street Commissioner, against the appropriation applicable thereto; and all such contracts, and the accounts, vouchers and certificates relating thereto, shall be kept and filed in the office of the Street Commissioner.

§ 160. The Street Commissioner shall ascertain and report to the Common Council, from time to

time, what improvements or repairs are necessary to any of the streets or roads in the city of New York, and the best mode of making such improvements or repairs.

§ 161. He shall, when required by the Common Council, enquire into and report upon all applications to the Common Council in relation to opening, regulating and paving streets,—building and repairing wharves and piers,—digging and building wells,—constructing public roads and improving the public lands and places,—and shall, when required by the Common Council, report a survey or plan of the work.

§ 162. He shall advertise for estimates, and contract for wells and pumps; for regulating, paving and repairing streets, for filling slips, the expenses of effecting which are by law directed to be assessed upon the property benefited; for building and repairing wharves and piers, and in all other cases where expenditures connected with the street department are authorized by the Common Council, except for the repair of wharves and piers, requiring slight repairs, not exceeding

fifty dollars in any one case, and the disbursements on account of the public lands and places.

§ 163. He may direct the removal of any article or thing whatsoever, which may incumber or obstruct a street, wharf or pier in the city of New York, under the penalties prescribed by law.

§ 164. He shall countersign all bills which, in his judgment are correct, for building, erecting, altering or repairing the public wharves and piers, and which may be certified by the Superintendent of Wharves, and control and direct the expenditures connected with the Bureau of Lands and Places.

§ 165. He shall, on the first Thursday in each month, render to the Comptroller a full statement, under oath, of the receipts and expenditures of the street department, and report to the Common Council from time to time, such alterations and improvements in relation thereto, as he may deem necessary or proper.

§ 166. He shall appoint competent inspectors of contract work connected with his department,



in all cases where the Common Council may deem the public interests require such inspection.

§ 167. He shall attend to the surveying of lots about to be built upon, and present and report to the Counsel to the Corporation all encroachments on the streets or avenues in the city of New York.

§ 168. He shall report to the Common Council all assessments made against the Corporation, or awards for any proposed opening or widening of any street or avenue, with the amount assessed in each case, and the circumstances connected therewith.

§ 169. He shall keep in his office a map of the city of New York, on which all the streets and avenues, and the intervening blocks or squares shall be delineated, each of which blocks or squares shall be designated by a number distinctly written upon it, and which map shall be known as the assessment map.

§ 170. He shall keep in his office suitable books, to be called the Index of Assessments, referring to the assessment map, in which a proper space

shall be appropriated to each of the blocks or squares numbered on the map, and which space shall be marked with the corresponding number on the map.

§ 171. He shall keep in his office a sufficient number of books, to be called the Record of Assessments, in which shall be transcribed the recapitulation of assessments furnished by the collector of assessments, as directed by section 204.

§ 172. He shall, on the first Monday of December in each year, advertise for sale, according to law, all property on which any assessments shall have become due, and sell the same as soon thereafter as may be allowed by law, unless the assessment be in the meantime paid.

§ 173. He shall, without delay, after completing a sale of property for unpaid assessments, execute and deliver to the purchasers at such sale, the certificate mentioned in section 2, of the act for the more effectual collection of taxes and assessments in the city of New York, passed April 12, 1816, and in section 5 of the act in relation to the col-

lection of assessments and taxes in the city and county of New York, and for other purposes, passed May 14, 1840.

§ 174. He shall publish the notice of sale of property for unpaid assessments required by section 2 of the act for the more effectual collection of taxes and assessments in the city of New York, passed April 12, 1816, as amended, May 14, 1840, and complete the publication of such notice for the period required by law, six months previous to the expiration of the time of redemption, and give the notice required by law to be given to mortgagees and owners.

§ 175. He shall, where pieces, parcels or lots of land have been sold for assessments, and any person shall claim to redeem any portion of the same within the time limited for redemption, make an equitable apportionment of the assessment, together with the proportion of interest and expenses thereon.

§ 176. He shall procure suitable books, to be called the record of sales, and enter therein, in

alphabetical order, all lots sold for assessments, within twenty days after the sale shall take place, specifying in alphabetical order, the avenue or street on which the lots are situated, the avenues or streets between which they are situated, the ward and assessment map numbers of the lots, the names of the persons to whom they are assessed, the particular cause of the assessment, the amount of the assessment, the time of its confirmation, the time of sale, and if redeemed, the time of the redemption.

§ 177. He shall cause to be entered in books to be provided for that purpose and kept in his office, open at all convenient times to public inspection, the names of all persons from whom he may receive money for the Corporation, on trust account or otherwise, the amounts received, and on what account and when paid, and shall render an account thereof, under oath, item by item, to the Comptroller, on Thursday of each week, and shall thereupon pay over the amount so received to the Chamberlain. He shall also thereupon receive from the Chamberlain a voucher for the

payment thereof, which he shall forthwith, on the same day, exhibit to the Comptroller, and shall, at the same time, leave with him a copy thereof.

## CHAPTER II.

### THE DEPUTY STREET COMMISSIONER.

§ 178. There shall be an officer in the Street Department, who shall be called the Deputy Street Commissioner.

§ 179. The Deputy Street Commissioner shall, before entering upon the duties of his office, execute a bond to the Corporation, with one or more sureties to be approved by the Comptroller, in the penal sum of five thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 180. He shall keep correct accounts in relation to all contracts made by the street department, and shall prepare the requisitions upon the Comptroller for the amount due thereon to the contractors.

§ 181. He shall examine all claims against the

Corporation on trust account, or on any other account appertaining to the street department, and if found correct, shall prepare the necessary requisitions upon the Comptroller for the payment thereof.

§ 182. He shall compare and examine the recapitulations furnished by the collector of assessments as provided by section 204, and when satisfied of their accuracy, shall cause them to be correctly transcribed into the Record of Assessments.

§ 183. He shall thereupon enter in the Index of Assessments, in the spaces appropriated to the blocks or squares in which any of the lots mentioned in the recapitulation are situated, the title of the assessment, the date of its confirmation, and the volume and page of the Record of Assessments in which the recapitulation is transcribed.

§ 184. He shall assist the Street Commissioner in the performance of the duties appertaining to his office, and shall perform such duties as may be assigned him by the Street Commissioner, except

where they are specifically assigned by this ordinance to other officers of the street department.

§ 185. In case of a vacancy in the office of the Street Commissioner, the deputy shall act as Street Commissioner, until the vacancy shall be supplied by a new appointment, and until the person appointed shall be duly qualified.

### CHAPTER III.

#### CLERKS IN THE OFFICE OF THE STREET COMMISSIONER.

§ 186. There shall be four clerks in the office of the Street Commissioner, who shall be denominated respectively, the Sale and Redemption Clerk, the Map Clerk, the Contract Clerk, and the Copying Clerk.

§ 187. The sale and redemption clerk shall keep the accounts of all sales ordered by the Common Council for assessments, and a record of all property sold for assessments, and of the redemption thereof, and shall perform such other duties as may be directed by the Street Commissioner.

§ 188. The map clerk shall keep in the office of the Street Commissioner, all maps, plans and profiles belonging to the street department, or of lands sold for assessments, or appertaining to the opening or widening of streets, or used in the laying of any assessment, together with a list thereof; and shall keep in like manner the assessment rolls appertaining to the street department, and perform such other duties as may be directed by the Street Commissioner.

§ 189. The contract clerk shall prepare all contracts for work done under the authority of the street department, and shall keep in books to be provided for that purpose suitable records thereof, and perform such other duties as may be directed by the Street Commissioner.

§ 190. The copying clerk shall copy all contracts or other papers which may be required by the Street Commissioner or his deputy, and shall perform such other services appertaining to the street department, as may be required by either of those officers, and shall perform such other



duties as may be directed by the Street Commissioner.

### ARTICLE III.

#### OF THE BUREAUX IN THE STREET DEPARTMENT.

#### CHAPTER I.—THE BUREAU OF ASSESSMENTS.

##### II.—THE BUREAU OF THE COLLECTION OF ASSESSMENTS.

##### III.—THE BUREAU OF WHARVES.

##### IV.—THE BUREAU OF LANDS AND PLACES.

##### V.—THE BUREAU OF SURVEYING.

#### CHAPTER I.

##### THE BUREAU OF ASSESSMENTS.

§ 191. This bureau, the officers of which shall be called the Assessors of the Street Department, is charged with the duty of making the estimates and assessments required by law, for building wells, erecting pumps, pitching, paving and repairing streets, constructing sewers, fencing lots,

and filling public slips, or any other improvement directed by an ordinance of the Common Council.

§ 192. The assessors shall, on the completion of an assessment, publish for ten days in the Corporation papers, a notice that the same is completed, and will remain in their office thirty days for examination by all parties interested therein, and that, at the end of that time, it will be presented to the Common Council for confirmation. The notice shall also contain a general description of the limits within which property is affected by the assessment.

§ 193. If objections be presented to the assessors within the time mentioned in the notice, upon which they shall refuse to alter their assessment list, or if notwithstanding its alteration, objections still be made, they shall present the assessment list, with such objections, to the Common Council.

§ 194. The assessors shall describe in the assessment list the several houses and lots assessed, by the known street number, and the ward number, and shall also state therein the names of the

owner or owners, and occupant or occupants thereof respectively.

§ 195. In making their assessment, the assessors shall in no case assess upon a house or lot, or upon land whether improved or unimproved, more than one-third of the value thereof as fixed by the assessors of the ward in which the same shall be situated.

§ 196. The assessors shall include in every assessment list an amount as nearly equal as possible to a just proportion of their salaries and expenses, based upon the estimated aggregate of assessments for the current year, which shall be furnished to them for that purpose by the Street Commissioner.

§ 197. They shall also, in every assessment list, fix the compensation to be allowed to the deputy collectors of assessments, not exceeding five per cent. on the amount of the assessment, and which, together with an equal proportion of the salary of the collector of assessments, to be ascertained as

alphabetical order, all lots sold for assessments, within twenty days after the sale shall take place, specifying in alphabetical order, the avenue or street on which the lots are situated, the avenues or streets between which they are situated, the ward and assessment map numbers of the lots, the names of the persons to whom they are assessed, the particular cause of the assessment, the amount of the assessment, the time of its confirmation, the time of sale, and if redeemed, the time of the redemption.

§ 177. He shall cause to be entered in books to be provided for that purpose and kept in his office, open at all convenient times to public inspection, the names of all persons from whom he may receive money for the Corporation, on trust account or otherwise, the amounts received, and on what account and when paid, and shall render an account thereof, under oath, item by item, to the Comptroller, on Thursday of each week, and shall thereupon pay over the amount so received to the Chamberlain. He shall also thereupon receive from the Chamberlain a voucher for the

payment thereof, which he shall forthwith, on the same day, exhibit to the Comptroller, and shall, at the same time, leave with him a copy thereof.

## CHAPTER II.

### THE DEPUTY STREET COMMISSIONER.

§ 178. There shall be an officer in the Street Department, who shall be called the Deputy Street Commissioner.

§ 179. The Deputy Street Commissioner shall, before entering upon the duties of his office, execute a bond to the Corporation, with one or more sureties to be approved by the Comptroller, in the penal sum of five thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 180. He shall keep correct accounts in relation to all contracts made by the street department, and shall prepare the requisitions upon the Comptroller for the amount due thereon to the contractors.

§ 181. He shall examine all claims against the

§ 204. Immediately upon receiving an assessment list for collection, the Collector of Assessments shall prepare a condensed recapitulation thereof, containing the name of the street on which each lot assessed is situated, with the farm, street, ward and assessment number of each lot; the name of the person to whom it is assessed; the dimensions of the lot; the amount of the assessment, and the time of its confirmation.

§ 205. Upon receiving the assessment list, the deputy collector shall forthwith demand the payment of the assessments therein contained, from the persons who are required by law to pay the same.

§ 206. If an assessment confirmed by the Common Council, or any part thereof, remain unpaid for sixty days after its confirmation, the deputy collector shall make application for a warrant, to levy the same according to law.

§ 207. If an assessment for opening, widening or altering a street, confirmed by the Supreme Court, or any part thereof, remain unpaid for sixty

days after the period fixed by the Common Council for opening, widening or altering the street, the deputy collector shall make application for a warrant to levy the same according to law.

§ 208. The deputy collector shall, after the expiration of the respective periods of sixty days, mentioned in the last two sections, receive and collect interest upon all unpaid assessments, except that in case of assessment and award to the same person; he shall receive and collect interest only upon the excess of the assessment over the award.

§ 209. Each of the deputy collectors shall, on being so required, furnish to the Street Commissioner, or to the Collector of Assessments, a list of all delinquents, with the amounts uncollected upon any assessment list delivered to him for collection.

§ 210. Each of the deputy collectors shall, on Wednesday in each week, or oftener if required, furnish to the Collector of Assessments an account in writing, under oath, item by item, of all moneys

collected by him, stating upon what assessment, and when paid, and shall thereupon pay over the amount so received, to the Collector of Assessments.

§ 211. The Collector of Assessments shall enter in a book, to be provided for that purpose, all moneys received by him from the deputy collectors, stating upon what assessment, and when received, and shall render an account thereof, under oath, item by item, to the Comptroller, on Thursday of each week, and shall thereupon pay over the amount so received to the Chamberlain. He shall also thereupon receive from the Chamberlain a voucher for the payment thereof, which he shall forthwith, on the same day, exhibit to the Comptroller, and shall, at the same time, leave with him a copy thereof.

### CHAPTER III.

#### THE BUREAU OF WHARVES.

§ 212. This bureau, the chief officer of which shall be called the Superintendent of Wharves, is



charged with the duty of inspecting the condition of the public wharves and piers, and superintending the erection and repairing of the same.

§ 213. The Superintendent of Wharves shall, before entering upon the duties of his office, execute a bond to the Corporation, with one or more sureties, to be approved by the Comptroller, in the penal sum of five thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 214. He shall exercise a constant inspection and supervision of the condition of the public wharves and piers, and of the erection and repairing of the same, and shall, from time to time, suggest and report to the Street Commissioner, such improvements and alterations thereof, as he may deem necessary or proper, with estimates of the expense thereof. If the Street Commissioner approve thereof, he shall report the same to the Common Council, except that when the expenditure for repairs shall not exceed two hundred dollars, he may direct the same to be made by the Superintendent of Wharves.

§ 215. He shall examine all bills and accounts for erecting and repairing the public wharves and piers, and if correct, shall approve them in writing, and deliver them, with the proper vouchers, to the Street Commissioner.

§ 216. He shall require, in the building or repairing of piers and bridges, that the surface of the blocks be covered with four inch pine plank.

§ 217. He shall, in all matters connected with his bureau, be under the control, supervision and direction of the Street Commissioner, who may approve or disapprove all accounts certified by him, and by whom alone all requisitions upon the Comptroller for the payment thereof shall be drawn. In case of the disapproval by the Street Commissioner of any of the accounts so certified, he shall report the same to the Common Council.

§ 218. The Superintendent of Wharves is specially charged with the duty of attending to the enforcement of all the laws of this state, and the ordinances and resolutions of the Common Council, relating to the wharves and piers in the city of

New York, and is required, from time to time, to report to the Corporation Attorney all violations thereof.

#### CHAPTER IV.

##### THE BUREAU OF LANDS AND PLACES.

§ 219. This bureau, the chief officer of which shall be called the Superintendent of Lands and Places, is charged with the duty of inspecting the condition of, and superintending the public grounds and places belonging to the Corporation.

§ 220. The Superintendent of Lands and Places shall, before entering upon the duties of his office, execute a bond to the Corporation, with one or more sureties, to be approved by the Comptroller, in the penal sum of two thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 221. He shall exercise a constant inspection and supervision of the public grounds and parks, and of keeping the same in proper order, and shall, from time to time, suggest and report to the

**Street Commissioner such improvements therein as may be necessary and proper, with estimates of the expense thereof. If the Street Commissioner approve thereof, he shall report the same to the Common Council, except that where the expenditure shall not exceed one hundred dollars, he may direct the same to be made by the Superintendent of Lands and Places.**

**§ 222. He shall examine all bills and accounts for keeping in order the public grounds and parks, and if correct, shall approve them in writing, and deliver them, with the proper vouchers, to the Street Commissioner.**

**§ 223. He shall, in all matters connected with his bureau, be under the control, supervision and direction of the Street Commissioner, who may approve or disapprove all accounts certified by him, and by whom alone all requisitions upon the Comptroller for the payment thereof shall be drawn. In case of the disapproval by the Street Commissioner of any of the accounts so certified, he shall report the same to the Common Council.**

§ 224. The Superintendent of Lands and Places is specially charged with the duty of attending to the enforcement of all the laws of this state, and the ordinances and resolutions of the Common Council, relating to public grounds and parks in the city of New York, and is required, from time to time, to report to the Corporation Attorney all violations thereof.

## CHAPTER V.

### THE BUREAU OF SURVEYING.

§ 225. This bureau, the officers of which shall be called the City Surveyors, is charged with the duty of assisting the Street Commissioner in laying out and regulating the streets, roads, wharves and slips of the city, and of laying out and surveying ground for the purpose of building, and of advising and directing concerning the same.

§ 226. No person shall erect on his own land a building bounded by a public street or avenue, unless the land be previously viewed and laid out by a city surveyor, nor in any other manner than

the surveyor, with the advice and consent of the Street Commissioner, shall direct, under the penalty of fifty dollars for each offence.

§ 227. No city surveyor shall survey or establish a corner of a street or avenue for the purpose of erecting a building thereon, unless the same be approved by the Street Commissioner, or in any other manner than he shall direct, under the penalty of twenty-five dollars for each offence.

§ 228. A city surveyor may demand and receive for laying out a house lot, other than the corner of a street or avenue, and giving a certificate thereof, the sum of one dollar and fifty cents; and for laying out a corner lot of a street or avenue, the sum of two dollars and fifty cents.

§ 229. A city surveyor employed by the Street Commissioner to make a survey, shall receive at the rate of three dollars per day, and the further sum of one dollar per day shall, when an assistant is necessary, be allowed him for such assistant. A protraction or profile of the survey so taken shall be delivered to the Street Commissioner, without further or extra compensation.

§ 230. A city surveyor who shall make a survey for the purpose of regulating and paving a street, and shall make a map or profile thereof, and furnish a written statement of the number of the lots and the names of their owners or occupants, shall receive at the rate of three dollars for each hundred feet, running measure, to be paved or regulated, which shall be charged in the assessment therefor.

§ 231. When a city surveyor shall be employed to make a survey for building a sewer or drain, he shall receive,—

1. For every running foot of sewer or culvert, six cents per foot;
2. For every receiving basin, three dollars;
3. For the map fronts, one cent per foot;
4. For every profile, one cent per foot.

§ 232. When any of the services mentioned in the last section shall be rendered, the charge therefor shall be included in the assessment for the construction of the sewer or drain, in respect to which the survey is made.

§ 233. No account of a city surveyor against the Corporation shall be audited or paid, unless upon proof by oath, in writing, of its correctness, which must be filed with the Street Commissioner.

§ 234. Eight hours shall be computed as a day's service within the meaning of this chapter.

§ 235. If a wall shall be erected upon a street and above the level thereof, without previous notice to the Street Commissioner or a city surveyor, the owner or builder of such wall shall forfeit and pay to the Corporation the sum of one hundred dollars.

§ 236. If a city surveyor be notified of the intended erection of a wall upon a street and above the level thereof, he shall examine such wall and give the necessary directions to prevent an encroachment upon the street, and may demand and receive therefor, from the owner of such wall, the sum of one dollar.



## TITLE V.

### OF THE DEPARTMENT OF REPAIRS AND SUPPLIES.

#### ARTICLE I.—OF THE DEPARTMENT OF REPAIRS AND SUPPLIES AND ITS BUREAUX, GENERALLY.

#### II.—OF THE COMMISSIONER OF REPAIRS AND SUPPLIES, AND HIS CLERK.

#### III.—OF THE BUREAUX IN THE DEPART- MENT OF REPAIRS AND SUPPLIES.

### ARTICLE I.

#### OF THE DEPARTMENT OF REPAIRS AND SUPPLIES AND ITS BUREAUX, GENERALLY.

§ 237. The Department of Repairs and Supplies is charged with the duty of making and repairing the public roads, constructing and repairing the public buildings, wells and pumps, supplying the public rooms and offices of the Corporation, the court rooms, the police station houses and the public markets, with fuel, and all other things necessary therefor,

except stationery, regulating, digging, filling, paving and repairing the streets, and constructing and repairing fire engines, hose carts, hooks and ladders, hose and other machines and apparatus for the use of the fire department.

§ 238. There shall be four bureaux in the Department of Repairs and Supplies :

1. A bureau for the making and repairing of the public roads, to be called the Bureau of Roads ;

2. A bureau for constructing and repairing the public buildings, wells and pumps, supplying the public rooms and offices of the Corporation, the court rooms, the police station houses, and the public markets, with fuel, and all other things necessary therefor, except stationery, to be called the Bureau of Public Buildings ;

3. A bureau for regulating, digging, filling, paving and repairing the streets, to be called the Bureau of Street Paving ;

4. A bureau for constructing and repairing fire engines, hose carts, hooks and ladders, hose and other machines and apparatus for the use of the fire depart-

ment, to be called the Bureau of Supplies for the Fire Department.

## ARTICLE II.

### OF THE COMMISSIONER OF REPAIRS AND SUPPLIES AND HIS CLERKS.

#### CHAPTER I.—THE COMMISSIONER OF REPAIRS AND SUPPLIES.

#### II.—THE CLERK IN THE OFFICE OF THE COMMISSIONER OF REPAIRS AND SUPPLIES.

#### CHAPTER I.

##### THE COMMISSIONER OF REPAIRS AND SUPPLIES.

§ 239. The chief officer of the Department of Repairs and Supplies shall be denominated the Commissioner of Repairs and Supplies.

§ 240. The Commissioner of Repairs and Supplies, before entering upon the duties of his office, shall execute a bond to the Corporation, with at least two sureties, to be approved by the Mayor, and filed in the office of the Comptroller, in the penal sum of ten thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 241. All moneys payable by the Corporation for the performance of the contracts mentioned in the last section, or for work done under any bureau in the Department of Repairs and Supplies, shall be paid by the warrant of the Comptroller, drawn upon the requisition of the Commissioner of Repairs and Supplies, against the appropriation applicable thereto; and all such contracts, and the accounts, vouchers and certificates relating thereto, shall be kept and filed in the office of the Commissioner of Repairs and Supplies.

§ 242. The Commissioner of Repairs and Supplies shall ascertain and report to the Common Council, from time to time, upon the necessity or propriety of making or repairing public roads, constructing or repairing public buildings, wells and pumps, supplying the public rooms and offices of the Corporation, the court rooms, the police station houses, and the public markets, with fuel, and all other things necessary therefor, except stationery, regulating, digging, filling, paving or repairing the streets, and constructing or repairing fire engines, hose carts, hooks and ladders, hose or other machines or apparatus for the use of the fire department.

§ 243. He shall advertise for estimates, and make contracts for making and repairing the public roads, constructing and repairing the public buildings, wells and pumps, supplying the public rooms and offices of the Corporation, the court rooms, the police station houses, and the public markets, with fuel, and all other things necessary therefor, except stationery, regulating, digging, filling, paving and repairing the streets, except when done by assessment; constructing and repairing fire engines, hose carts, hooks and ladders, hose and other machines and apparatus for the use of the fire department; and for all other work and supplies which may be directed by the Common Council to be done or finished under the supervision of the Department of Repairs and Supplies; except that where slight repairs are necessary, the same not exceeding fifty dollars in any one case, may be made by the chief officer of the appropriate bureau, with the consent of the Commissioner.

§ 244. He shall countersign all bills which in his judgment are correct, for work coming within the purview of his department, and which may be certified by the head of the appropriate bureau.

§ 245. He shall, on the first Thursday in each month, render to the Comptroller a full statement, under oath, of the receipts and expenditures of the Department of Repairs and Supplies, and report to the Common Council, from time to time, such alterations and improvements in respect thereto, as he may deem necessary or proper.

§ 246. He shall enter, in suitable books to be provided for that purpose, and kept in his office, the accounts of the Department of Repairs and Supplies, and all accounts which may be rendered to the department by the several bureaux therein, together with all contracts which may be made by his department.

## CHAPTER II.

### THE CLERK IN THE OFFICE OF THE COMMISSIONER OF REPAIRS AND SUPPLIES.

§ 247. There shall be a clerk in the Department of Repairs and Supplies, to be denominated the Clerk to the Commissioner of Repairs and Supplies.

§ 248. The Clerk shall keep the accounts of the department; shall prepare all proposals for esti-

mates, contracts and requisitions appertaining thereto; shall copy all papers appertaining to the department, which shall be directed by the Commissioner of Repairs and Supplies, and shall perform such other duties connected with the department as shall be assigned him by that officer.

### ARTICLE III.

#### OF THE BUREAUX IN THE DEPARTMENT OF REPAIRS AND SUPPLIES.

##### CHAPTER I.—THE BUREAU OF ROADS.

##### II.—THE BUREAU OF PUBLIC BUILDINGS.

##### III.—THE BUREAU OF STREET PAVING.

##### IV.—THE BUREAU OF SUPPLIES FOR THE FIRE DEPARTMENT.

### CHAPTER I.

#### THE BUREAU OF ROADS.

§ 249. This bureau, the chief officer of which shall be called the Superintendent of Roads, is charged with the duty of making and repairing the public roads.

§ 250. The Superintendent of Roads shall, before entering upon the duties of his office, execute a bond to the Corporation, with one or more sureties, to be approved by the Comptroller, in the penal sum of two thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 251. He shall be the overseer of roads and highways, and shall take charge of, oversee and superintend the making and repairing of the public roads, and inspect all work done thereon by contract or otherwise.

§ 252. He shall make all estimates necessary to or connected with the making and repairing of the public roads, when required by the Commissioner of Repairs and Supplies.

§ 253. He shall keep correct accounts of the time of the men employed, and the work upon which they are engaged, and the expense attending the same, when it is not done by contract; and shall report the same, under oath, once in each week, to the Commissioner of Repairs and Supplies.



§ 254. He shall examine, audit and certify to the Commissioner of Repairs and Supplies, all accounts for work done under his supervision, and as to the fulfillment or breach of any contract for work required to be done under his direction ; and no requisition shall be drawn by the Commissioner of Repairs and Supplies for any bills, accounts or contracts for making or repairing the public roads, unless certified and approved by the Superintendent of Roads.

§ 255. He shall, from time to time, examine the state of the public roads, and report all repairs thereof, which in his judgment may be necessary, to the Commissioner of Repairs and Supplies, who shall lay the same before the Common Council, except when the expense thereof shall not in any one case exceed two hundred dollars ; in which case the Commissioner of Repairs and Supplies may cause the repairs to be made, under the direction of the Superintendent of Roads.

§ 256. He shall, in all matters connected with his bureau, be under the control, direction and supervision of the Commissioner of Repairs and Supplies, who

may approve or disapprove all accounts certified by him, and by whom alone all requisitions upon the Comptroller for the payment thereof shall be drawn.

§ 257. The Superintendent of Roads is specially charged with the duty of attending to the enforcement of all laws of this state, and ordinances and resolutions of the Common Council, relating to the public roads in the City of New York, and is required, from time to time, to report to the Corporation Attorney all violations thereof.

## CHAPTER II.

### THE BUREAU OF PUBLIC BUILDINGS.

§ 258. This bureau, the chief officer of which shall be called the Superintendent of Repairs to Public Buildings, is charged with the duty of superintending the construction and repairing of the public buildings, wells and pumps, and the supplying the public rooms and offices of the Corporation, the court rooms, the police station houses and the public markets, with fuel, and all other things necessary therefor, except stationery.

§ 259. The Superintendent of Repairs to Public Buildings shall, before entering upon the duties of his office, execute a bond to the Corporation, with one or more sureties, to be approved by the Comptroller, in the penal sum of two thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 260. He shall take charge of, oversee and superintend the constructing and repairing of the public buildings, wells and pumps, and inspect all work done thereon, by contract or otherwise, and shall also superintend the delivery and preservation of all supplies of fuel and other necessary things, except stationery, for the public rooms and offices of the Corporation, the court-rooms, the police station houses and the public markets.

§ 261. He shall make all estimates necessary to or connected with the constructing and repairing of the public buildings, wells and pumps, and the furnishing of the supplies mentioned in the last section, when required by the Commissioner of Repairs and Supplies.

§ 262. He shall keep correct accounts of the time of the men employed, and the work upon which they are engaged, and the expense attending the same, when it is not done by contract, and shall report the same, under oath, once in each week to the Commissioner of Repairs and Supplies.

§ 263. He shall examine, audit and certify to the Commissioner of Repairs and Supplies, all accounts for work done under his supervision, and as to the fulfillment or breach of any contract for work required to be done under his direction; and no requisition shall be drawn by the Commissioner of Repairs and Supplies for any bills, accounts or contracts for constructing and repairing the public buildings, wells or pumps, or for any of the supplies mentioned in section 260, unless certified and approved by the Superintendent of Repairs to Public Buildings.

§ 264. He shall, from time to time, examine the state of the public buildings, wells and pumps, and report all repairs thereof, which in his judg-

ment may be necessary, to the Commissioner of Repairs and Supplies, who shall lay the same before the Common Council, except where the expense thereof shall not in any case exceed two hundred dollars; in which case the Commissioner of Repairs and Supplies may cause the repairs to be made under the direction of the Superintendent of Repairs to Public Buildings.

§ 265. He shall, in all matters connected with his bureau, be under the control, direction and supervision of the Commissioner of Repairs and Supplies, who may approve or disapprove all accounts certified by him, and by whom alone all requisitions upon the Comptroller for the payment thereof shall be drawn.

§ 266. There shall be a clerk in this bureau, to be called the Clerk to the Superintendent of Repairs to Public Buildings, who shall keep the accounts of this bureau, and prepare such papers and perform such other duties appertaining thereto, as shall be directed by the Superintendent of Repairs to Public Buildings.

## CHAPTER III.

## THE BUREAU OF STREET PAVING.

§ 267. This bureau, the chief officer of which shall be called the Superintendent of Pavements, is charged with the duty of regulating, digging, filling, paving and repairing the streets.

§ 268. The Superintendent of Pavements shall, before entering upon the duties of his office, execute a bond to the Corporation, with one or more sureties, to be approved by the Comptroller, in the penal sum of two thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 269. He shall take charge of, oversee and superintend the execution of all ordinances of the Common Council in relation to regulating, digging, filling, paving and repairing the streets.

§ 270. He shall, with the consent of the Commissioner of Redairs and Supplies, employ a competent person to inspect the paving of any street, when done under a contract with the Corporation,

whose daily pay shall not exceed one dollar and fifty cents, and which shall be assessed and collected with the other expenses of such paving.

§ 271. He shall, with the consent of the Commissioner of Repairs and Supplies, employ, on daily pay as many competent persons as may be necessary, with carts and other implements, to repair the pavements of the streets.

§ 272. He shall make all estimates necessary to, or connected with regulating, digging, filling, paving and repairing the streets, when required by the Commissioner of Repairs and Supplies.

§ 273. He shall continually inspect the pavements of the streets, which have been accepted by the Corporation, and which are to be repaired at the public expense, and with the consent of the Commissioner of Repairs and Supplies, shall repair the same forthwith, when any repairs shall be necessary.

§ 274. He shall keep correct accounts of the time of the men employed, and the work upon

which they are engaged, and the expense attending the same, where it is not done by contract, and shall report the same, under oath, once in each week, to the Commissioner of Repairs and Supplies.

§ 275. He shall examine, audit and certify to the Commissioner of Repairs and Supplies, all accounts for work done under his supervision, and as to the fulfillment or breach of any contract for work required to be done under his direction; and no requisition shall be drawn by the Commissioner of Repairs and Supplies for any bills, accounts or contracts for regulating, digging, filling, paving or repairing the streets, unless certified by the Superintendent of Pavements.

§ 276. He shall, in all matters connected with his bureau, be under the control, direction, and supervision of the Commissioner of Repairs and Supplies, who may approve or disapprove all accounts certified by him, and by whom alone all requisitions upon the Comptroller for the payment thereof shall be drawn.



§ 277. The Superintendent of Pavements is specially charged with the duty of attending to the enforcement of all laws of this state, and ordinances and resolutions of the Common Council relating to the side-walks and pavements in the city of New York, and is required, from time to time, to report to the Corporation Attorney all violations thereof.

§ 278. There shall be a clerk in this bureau, to be called the Clerk to the Superintendent of Pavements, who shall keep the accounts of this bureau, and prepare such papers, and perform such other duties appertaining thereto, as shall be directed by the Superintendent of Pavements.

#### CHAPTER IV.

##### THE BUREAU OF SUPPLIES FOR THE FIRE DEPARTMENT.

§ 279. This bureau, of which the Chief Engineer of the Fire Department shall be the chief officer, is charged with the duty of constructing and repairing fire engines, hose carts, hooks and

ladders, hose and other machines and apparatus for the use of the Fire Department.

§ 280. The Chief Engineer of the Fire Department shall take charge of, oversee and superintend the constructing and repairing of fire engines, hose carts, hooks and ladders, hose and other machines and apparatus for the use of the Fire Department.

§ 281. He shall make all estimates necessary to or connected with the performance of the duties of this bureau, when required by the Commissioner of Repairs and Supplies.

§ 282. He shall continually inspect the fire engines, hose carts, hooks and ladders, hose and other machines and apparatus for the use of the Fire Department, and, with the consent of the Commissioner of Repairs and Supplies, shall repair the same forthwith, when any repairs shall be necessary, except that where the expense of such repairs shall not in any one case exceed fifteen dollars; he may cause them to be made without the consent of that officer ; but no repairs shall be

made to a fire engine or other machine for the use of the Fire Department, the expense of which shall exceed seventy-five dollars.

§ 283. He shall keep correct accounts of the time of the men employed in his bureau, and of the work upon which they are engaged, and the expense attending the same, when it is not done by contract, and shall report the same, under oath, once in each week, to the Commissioner of Repairs and Supplies,

§ 284. He shall examine, audit and certify to the Commissioner of Repairs and Supplies, all accounts for work done under his supervision, and as to the fulfillment or breach of any contract for work required to be done under his direction; and no requisition shall be drawn by the Commissioner of Repairs and Supplies for any bills, accounts, or contracts for constructing or repairing fire engines, hose carts, hooks and ladders, hose or other machines or apparatus for the use of the Fire Department, unless certified by the Chief Engineer of the Fire Department.

§ 285. He shall, in all matters connected with this bureau, be under the control, direction and supervision of the Commissioner of Repairs and Supplies, who may approve or disapprove all accounts certified by him, and by whom alone all requisitions upon the Comptroller for the payment thereof shall be drawn.

## TITLE VI.

OF THE DEPARTMENT OF STREETS AND LAMPS.

ARTICLE I.—OF THE DEPARTMENT OF STREETS AND LAMPS AND ITS BUREAUX, GENERALLY.

II.—OF THE COMMISSIONER OF STREETS AND LAMPS, AND HIS CLERK.

III.—OF THE BUREAUX IN THE DEPARTMENT OF STREETS AND LAMPS.

### ARTICLE I.

OF THE DEPARTMENT OF STREETS AND LAMPS AND ITS BUREAUX, GENERALLY.

§ 286. The Department of Streets and Lamps shall have cognizance of procuring the necessary

supplies for, and of lighting the public streets and places, lighted at the expense of the Corporation; and of cleaning the public streets, and removing incumbrances therefrom, and collecting the revenue arising from the sale of manure, and also of superintending the public markets, and of transferring butchers' stalls therein.

§ 287. There shall be three bureaux in the Department of Streets and Lamps :—

1. A bureau for procuring the necessary supplies for, and lighting the public streets and places, lighted at the expense of the Corporation, to be called the Bureau of Lamps and Gas;

2. A bureau for cleaning the public streets, and removing incumbrances therefrom, and collecting the revenue arising from the sale of manure, to be called the Bureau of Cleaning Streets;

3. A bureau for the superintendence of the public markets, and for transferring butchers' stalls therein, to be called the Bureau of Markets.

**ARTICLE II.**

**OF THE COMMISSIONER OF STREETS AND LAMPS, AND  
HIS CLERK.**

**CHAPTER I.—THE COMMISSIONER OF STREETS AND  
LAMPS.**

**II.—THE CLERK IN THE OFFICE OF THE  
COMMISSIONER OF STREETS AND  
LAMPS.**

**CHAPTER I.**

**THE COMMISSIONER OF STREETS AND LAMPS.**

§ 288. The chief officer of the Department of Streets and Lamps, shall be denominated the Commissioner of Streets and Lamps.

§ 289. The Commissioner of Streets and Lamps shall, before entering upon the duties of his office, execute a bond to the Corporation, with two sufficient sureties, to be approved by the Mayor, and filed in the office of the Comptroller, in the penal sum of ten thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 290. All contracts for supplies or work of any kind appertaining to the Department of Streets and Lamps, or to any of the bureaux thereof, shall be made by the Commissioner of Streets and Lamps, and bonds for the faithful performance thereof shall be taken and approved by him.

§ 291. All moneys payable by the Corporation for the performance of the contracts mentioned in the last section, or for work done under any bureau of this department, shall be paid by the warrant of the Comptroller, drawn upon the requisition of the Commissioner of Streets and Lamps, against the appropriation applicable thereto ; and all the accounts, vouchers and certificates relating thereto, shall be kept and filed in the office of the Commissioner of Streets and Lamps.

§ 292. Until the Common Council shall otherwise provide by ordinance, the ordinances and resolutions now in force shall be applicable to the cleaning of streets. To enable the Common Council, however, to revise the same, and to make such provision in respect to the cleaning of streets, as the public interests may require, the

Commissioner of Streets and Lamps is hereby directed to report to the Common Council, on or before the twentieth of June next, a plan for the cleaning of streets, with the draft of an ordinance adapted to carry the same into effect.

§ 293. The Commissioner of Streets and Lamps shall ascertain and report to the Common Council, from time to time, the proper mode of furnishing the necessary supplies for, and of lighting the public streets and places, lighted at the expense of the Corporation ; of cleaning the public streets ; of collecting the revenue arising from the sale of manure ; and of regulating the public markets.

§ 294. He shall advertise for estimates, and contract for all supplies to be furnished or work to be done in respect to the several matters mentioned in the last section, except where otherwise provided by this ordinance.

§ 295. He shall, on the first Thursday in each month, render to the Comptroller a full statement, under oath, of the receipts and expenditures of



the Department of Streets and Lamps, and report to the Common Council, from time to time, such alterations and improvements in relation thereto as he may deem necessary or proper.

## CHAPTER II.

### THE CLERK IN THE OFFICE OF THE COMMISSIONER OF STREETS AND LAMPS.

§ 296. There shall be a clerk in this department, who shall be denominated the Clerk in the Department of Streets and Lamps.

§ 297. The clerk in the Department of Streets and Lamps shall keep in suitable books to be provided for that purpose, the accounts of the department; shall preserve the vouchers relating thereto, in the office of the Commissioner; shall prepare all requisitions and other papers relating to the department, and shall generally perform such other duties connected therewith, as may be directed by the Commissioner.

ARTICLE III.

OF THE BUREAUX IN THE DEPARTMENT OF STREETS  
AND LAMPS.

CHAPTER I.—THE BUREAU OF LAMPS AND GAS.

II.—THE BUREAU OF CLEANING STREETS.

III.—THE BUREAU OF MARKETS.

CHAPTER I.

THE BUREAU OF LAMPS AND GAS.

§ 298. This bureau, the chief officer of which shall be called the Superintendent of Lamps and Gas, is charged with the duty of superintending the procuring of the necessary supplies for lighting, and the lighting of the public streets and places, lighted at the expense of the Corporation.

§ 299. The Superintendent of Lamps and Gas shall, before entering upon the duties of his office, execute a bond to the Corporation, with one or more sureties, to be approved by the Comptroller, in the penal sum of two thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 300. He shall, from time to time, prepare and furnish to the Commissioner of Streets and Lamps, estimates of the quantity of oil necessary for lighting the city, and of the construction or repairing of the public lamps.

§ 301. He shall take charge of, oversee and superintend the construction, repairing, cleaning, trimming and lighting of public lamps, and shall preserve and keep in such place as may be prescribed by the Commissioner of Streets and Lamps, the oil and other supplies which may be delivered to him, appertaining to his bureau.

§ 302. He shall continually inspect the public lamps, and with the consent of the Commissioner of Streets and Lamps, shall repair the same forthwith, when any repairs are necessary; except that where the expense of such repairs shall not in any one case exceed fifteen dollars, he may cause them to be made without the consent of that officer.

§ 303. He shall keep correct accounts of the time of the men employed in his bureau, and the

work upon which they are engaged, and the expense attending the same, when it is not done by contract, and shall report the same, under oath, once in each week, to the Commissioner of Streets and Lamps.

§ 304. He shall forthwith report to the Commissioner of Streets and Lamps, all violations of any contract for supplying the city with oil or gas for the lighting of the public lamps, and every omission or neglect on the part of any person whose duty it is to clean, trim or light the same; and if such omission or neglect shall occur on the part of any policeman or other officer of the police department, he shall in like manner forthwith report the same to the Mayor.

§ 305. He shall subject all oil which may be delivered upon any contract, to a thorough examination before emptying it from the original vessels in which it may be delivered, and if it be found in any respect inferior, either in quantity or quality, to that required by the contract, he shall forthwith report the same to the Commissioner of Streets and Lamps.

§ 306. He shall cause all lamps to be hereafter placed in the streets and avenues, in conformity with the ordinances or resolutions of the Common Council now in force, or hereafter to be adopted.

§ 307. He shall examine, audit and certify to the Commissioner of Streets and Lamps, all accounts for supplies furnished or work done under his supervision ; and no requisition shall be drawn by the Commissioner of Streets and Lamps, for any bills, accounts or contracts for constructing or repairing the public lamps, or for furnishing supplies to light the same, unless certified by the Superintendent of Lamps and Gas.

§ 308. He shall in all matters connected with his bureau, be under the control, direction and supervision of the Commissioner of Streets and Lamps, who may approve or disapprove all accounts certified by him, and by whom alone all requisitions upon the Comptroller for the payment thereof shall be drawn.

§ 309. The Superintendent of Lamps and Gas is specially charged with the enforcement of all

ladders, hose and other machines and apparatus for the use of the Fire Department.

§ 280. The Chief Engineer of the Fire Department shall take charge of, oversee and superintend the constructing and repairing of fire engines, hose carts, hooks and ladders, hose and other machines and apparatus for the use of the Fire Department.

§ 281. He shall make all estimates necessary to or connected with the performance of the duties of this bureau, when required by the Commissioner of Repairs and Supplies.

§ 282. He shall continually inspect the fire engines, hose carts, hooks and ladders, hose and other machines and apparatus for the use of the Fire Department, and, with the consent of the Commissioner of Repairs and Supplies, shall repair the same forthwith, when any repairs shall be necessary, except that where the expense of such repairs shall not in any one case exceed fifteen dollars, he may cause them to be made without the consent of that officer; but no repairs shall be

made to a fire engine or other machine for the use of the Fire Department, the expense of which shall exceed seventy-five dollars.

§ 283. He shall keep correct accounts of the time of the men employed in his bureau, and of the work upon which they are engaged, and the expense attending the same, when it is not done by contract, and shall report the same, under oath, once in each week, to the Commissioner of Repairs and Supplies.

§ 284. He shall examine, audit and certify to the Commissioner of Repairs and Supplies, all accounts for work done under his supervision, and as to the fulfillment or breach of any contract for work required to be done under his direction; and no requisition shall be drawn by the Commissioner of Repairs and Supplies for any bills, accounts, or contracts for constructing or repairing fire engines, hose carts, hooks and ladders, hose or other machines or apparatus for the use of the Fire Department, unless certified by the Chief Engineer of the Fire Department.

§ 285. He shall, in all matters connected with this bureau, be under the control, direction and supervision of the Commissioner of Repairs and Supplies, who may approve or disapprove all accounts certified by him, and by whom alone all requisitions upon the Comptroller for the payment thereof shall be drawn.

## TITLE VI.

OF THE DEPARTMENT OF STREETS AND LAMPS.

ARTICLE I.—OF THE DEPARTMENT OF STREETS AND LAMPS AND ITS BUREAUX, GENERALLY.

II.—OF THE COMMISSIONER OF STREETS AND LAMPS, AND HIS CLERK.

III.—OF THE BUREAUX IN THE DEPARTMENT OF STREETS AND LAMPS.

### ARTICLE I.

OF THE DEPARTMENT OF STREETS AND LAMPS AND ITS BUREAUX, GENERALLY.

§ 286. The Department of Streets and Lamps shall have cognizance of procuring the necessary



supplies for, and of lighting the public streets and places, lighted at the expense of the Corporation; and of cleaning the public streets, and removing incumbrances therefrom, and collecting the revenue arising from the sale of manure, and also of superintending the public markets, and of transferring butchers' stalls therein.

§ 287. There shall be three bureaux in the Department of Streets and Lamps:—

1. A bureau for procuring the necessary supplies for, and lighting the public streets and places, lighted at the expense of the Corporation, to be called the Bureau of Lamps and Gas;

2. A bureau for cleaning the public streets, and removing incumbrances therefrom, and collecting the revenue arising from the sale of manure, to be called the Bureau of Cleaning Streets;

3. A bureau for the superintendence of the public markets, and for transferring butchers' stalls therein, to be called the Bureau of Markets.

ARTICLE II.

OF THE COMMISSIONER OF STREETS AND LAMPS, AND  
HIS CLERK.

CHAPTER I.—THE COMMISSIONER OF STREETS AND  
LAMPS.

II.—THE CLERK IN THE OFFICE OF THE  
COMMISSIONER OF STREETS AND  
LAMPS.

CHAPTER I.

THE COMMISSIONER OF STREETS AND LAMPS.

§ 288. The chief officer of the Department of Streets and Lamps, shall be denominated the Commissioner of Streets and Lamps.

§ 289. The Commissioner of Streets and Lamps shall, before entering upon the duties of his office, execute a bond to the Corporation, with two sufficient sureties, to be approved by the Mayor, and filed in the office of the Comptroller, in the penal sum of ten thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 290. All contracts for supplies or work of any kind appertaining to the Department of Streets and Lamps, or to any of the bureaux thereof, shall be made by the Commissioner of Streets and Lamps, and bonds for the faithful performance thereof shall be taken and approved by him.

§ 291. All moneys payable by the Corporation for the performance of the contracts mentioned in the last section, or for work done under any bureau of this department, shall be paid by the warrant of the Comptroller, drawn upon the requisition of the Commissioner of Streets and Lamps, against the appropriation applicable thereto ; and all the accounts, vouchers and certificates relating thereto, shall be kept and filed in the office of the Commissioner of Streets and Lamps.

§ 292. Until the Common Council shall otherwise provide by ordinance, the ordinances and resolutions now in force shall be applicable to the cleaning of streets. To enable the Common Council, however, to revise the same, and to make such provision in respect to the cleaning of streets, as the public interests may require, the

missioner of Streets and Lamps, who may approve or disapprove all accounts certified by him, and by whom alone all requisitions upon the Comptroller for payment thereof shall be drawn.

§ 326. There shall be a clerk in this bureau, to be denominated the Clerk of the Superintendent of Streets, who shall keep the accounts thereof, and prepare all estimates and other papers appertaining thereto, and who shall perform such other duties connected therewith as shall be directed by the Superintendent of Streets.

### CHAPTER III.

#### THE BUREAU OF MARKETS.

§ 327. This bureau, the chief officer of which shall be called the Superintendent of Markets, is charged with the duty of superintending the public markets, and of transferring butchers' stalls therein.

§ 328. The Superintendent of Markets shall, before entering upon the duties of his office, execute a bond to the Corporation, with one or more

sureties, to be approved by the Comptroller, in the penal sum of two thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 329. He shall, from time to time, visit the several markets, and examine the condition thereof; shall advise and direct the clerks thereof concerning the regulation of the same; shall examine the provisions, vegetables, and other articles of food exposed for sale in the markets or other places, and when he has reason to suspect them to be unwholesome or unfit to be exposed for sale, shall order or cause them to be removed.

§ 330. He shall, with the consent of the Commissioner of Streets and Lamps, from time to time, recommend for license as butchers, such persons as may be proper; and upon such recommendation, the Mayor may, from time to time, issue licenses under his hand and seal, to the persons named therein, to exercise and carry on the trade and business of a butcher, in such places as may be designated in the license, but not elsewhere.

§ 331. He may, with the consent of the Commissioner of Streets and Lamps, grant permits in writing, to such persons as may be proper, to sell meat by the quarter, in such part of the public markets, respectively, as may be designated for that purpose, and which persons shall be known as permit butchers, and may, at any time, with the like consent, annul such permits ; but no such permit shall be granted to a person who holds a license from the Mayor to exercise the trade or business of a butcher.

§ 332. He may, with the consent of the Commissioner of Streets and Lamps, grant permits in writing, to such persons as may be proper, at a daily rate, to be mentioned therein, to occupy stands in the public markets, and may, at any time, with the like consent, annul such permits.

§ 333. He may, with the consent of the Commissioner of Streets and Lamps, appoint proper persons to remove dirt and filth from the public markets, and to perform such other services about the public markets as are necessary to cleanse

the same, at a specified compensation, and may, with the like consent, at any time remove them, or appoint others in their stead.

§ 334. For the purpose of defraying the expenses to be incurred in pursuance of the last section, the Superintendent of Markets may, by a requisition, to be countersigned by the Commissioner of Streets and Lamps, draw upon the Comptroller for a sum not exceeding two hundred dollars.

§ 335. He may, in like manner renew the draft as often as may be necessary, but no such renewal shall be made until the money paid upon the previous draft shall be accounted for to the Comptroller by satisfactory vouchers for the expenditure of the money paid thereon.

§ 336. When a draft shall be made upon the Comptroller in conformity with the last two sections, he shall draw his warrant in favor of the Superintendent of Markets for the amount thereof.

§ 337. The Superintendent of Markets is specially charged with the enforcement of all laws

of this state, and all ordinances and resolutions of the Common Council, regulating the markets, and is required forthwith to report to the Corporation Attorney all violations of the same.

§ 338. He shall, from time to time, report to the Commissioner of Streets and Lamps, the condition of the several markets, and shall at all times be under the direction and control of that officer.

§ 339. There shall be a clerk to each of the public markets in the city of New York, and a deputy to the clerks of Fulton market, and Washington market, respectively, each of which clerks and deputy clerks shall be an officer of the Bureau of Markets.

§ 340. The clerks of markets shall, respectively, before entering upon the duties of their office, execute a bond to the Corporation, with one or more sureties, to be approved by the Comptroller, in the penal sum of one thousand dollars, conditioned for the faithful performance of the duties of their respective offices.



§ 341. They shall collect daily, the market fees and rents which shall become due in their respective markets, and shall, on Thursday in each week, render an account thereof, under oath, to the Comptroller, containing the amounts received and when paid, and shall thereupon pay over the amount so received to the Chamberlain.

§ 342. They shall also, thereupon, respectively receive from the Chamberlain a voucher for the payment thereof, which they shall forthwith, on the same day, exhibit to the Comptroller, and shall, at the same time, leave with him a copy thereof.

§ 343. They shall cause all the dirt and filth which shall accumulate in the public markets, and the limits thereof, to be removed daily by the persons appointed for that purpose, as prescribed in section 333.

§ 344. They may suspend any person having a stated stall or stand in a public market, to which they are respectively attached, or occupying a part thereof, or of the street adjoining the same,

from occupying or using any part of such market or street, whether he be a licensed butcher or not.

§ 345. Immediately upon such suspension, the clerk making the same shall report the facts thereof, with the reasons for the suspension, to the Commissioner of Streets and Lamps, who shall hear the same, upon sufficient notice to the person suspended, and an opportunity afforded him to be heard in his defence, and whose decision upon the matter shall be final, provided the Mayor shall approve the same.

§ 346. The provisions of chapter 12, of the Revised Ordinances, respecting the deputy clerks of the markets, shall apply to the clerks of markets hereby created, except where they are inconsistent with this ordinance.

§ 347. There shall be a Weigh-master for Washington and Fulton markets, respectively, who shall be officers of this bureau, and who shall possess the powers, perform the duties and receive the fees prescribed by the provisions of

chapter 12, of the Revised Ordinances, relating to weigh-masters in markets.

§ 348. The clerks, deputy clerks and weigh-masters created by this chapter, shall be subject to the control and supervision of the Commissioner of Streets and Lamps, and shall, from time to time, report to him such matters as may be necessary or proper respecting the condition of the markets.

§ 349. They are also charged with the enforcement of all ordinances and resolutions of the Common Council appertaining to their duties respectively, and are required forthwith to report to the Corporation Attorney all violations thereof.

## TITLE VII.

### OF THE CROTON AQUEDUCT DEPARTMENT.

#### ARTICLE I.—OF THE CROTON AQUEDUCT DEPARTMENT AND ITS BUREAUX, GENERALLY.

##### II.—OF THE CROTON AQUEDUCT BOARD.

##### III.—OF THE BUREAUX IN THE CROTON AQUEDUCT DEPARTMENT.

#### ARTICLE I.

##### OF THE CROTON AQUEDUCT DEPARTMENT AND ITS BUREAUX, GENERALLY.

§ 350. The Croton Aqueduct Department is invested by the laws of this state with the following powers and duties:

1. With the direction and settlement of all suits, claims and demands against the Corporation, or against the Water Commissioners of the city of New York, created by the act for the appointment of Water Commissioners by the Governor and Senate, for the city of New York, passed May 2, 1834.

2. With the charge of the Croton aqueduct, and all structures and works, and property connected with the supply and distribution of water to the city of New York, and the underground drainage of the same ; and of the public sewers of the city ; and the collection of the revenues arising from the sale of the water, with such other powers and duties as shall or may be prescribed by law.

3. With the preservation of the Croton lake and waters ; with the preservation of the banks of the Croton river from injuries or nuisances ; with the execution of such measures as may be necessary to preserve and increase the quantity of water, and keep it pure ; with the management, preservation and repairs of the dam, gates, aqueduct, high bridge, reservoirs, mains, pipes, pipe-yard, and property of every description belonging to the water-works ; and they shall have the construction of such new works, and the purchase and laying down of such mains and pipes as the Common Council may authorize ; and also the construction, repairs and cleansing of all the sewers and underground drains, but subject to the orders

and directions of the Common Council, as to the times and places of building new sewers, and to the general plan which has been, or may be adopted for the sewerage and drainage of the city. They shall be responsible for the supply of water, and the good order and security of all the works, from the Croton lake to the city, inclusive, for the exactness and durability of the structures which may be erected, and of the daily work to be performed, and for the sufficiency of the supply in the pipe yard to meet every casualty, and for the fidelity, care and attention of all persons employed by the department in watching the works, and in making constructions and repairs; and shall inspect thoroughly the interior of the aqueduct, and make the necessary repairs at least twice in each year.

§ 351. There shall be two bureaux in the Croton Aqueduct Department:

1. A bureau for the collection of the revenue derived from the sale of the Croton water, to be called the Bureau of Water Rents;

2. A bureau for the superintendence of the laying and repairing of the water pipes, and for the construction, repairing and cleaning of the sewers and underground drains, to be called the Bureau of Pipes and Sewers.

## ARTICLE II.

### OF THE CROTON AQUEDUCT BOARD.

§ 352. The chief officers of the Croton Aqueduct Board shall be called the President, Engineer and Assistant Commissioner.

§ 353. The mode of their appointment, the tenure of their office, their qualifications, their powers and duties, and the manner of removing them from office and of filling vacancies in their respective offices, are prescribed by the act to amend the charter of the city of New York, passed April 2, 1849, and by the act to create the Croton Aqueduct Department in the city of New York, passed April 11, 1849.

§ 354. All contracts for materials or work for the Croton aqueduct, or for the construction, re-

pair or cleansing of sewers and underground drains, shall be made by the Croton Aqueduct Board, and bonds for the faithful performance thereof, shall be taken and approved by them.

§ 355. All moneys payable by the Corporation, for the performance of the contracts mentioned in the last section, or for work done by authority of the Croton Aqueduct Department, and all bills or accounts for the salaries of the officers and men attached thereto, and for blank books, paper and contingencies of the Department, shall be paid by the warrant of the Comptroller, upon the requisition of the Croton Aqueduct Board, against the appropriation applicable thereto; and all such contracts and accounts shall be kept and filed in the office of the Croton Aqueduct Board.

§ 356. No new works connected with the Croton aqueduct, shall be constructed, nor shall any mains or pipes be purchased or laid down, or new sewers constructed, except with the authority of the Common Council; and except, also, that in case of any unexpected casualty or damage to the



pipes, reservoirs or other structures connected with the aqueduct, the Croton Aqueduct Board shall take immediate measures for the preservation and repair of the same, the expense of which shall be paid, on their réquisition, by the warrant of the Comptroller.

§ 357. All sewers and drains in any of the streets, avenues or public places in the city, shall be under the charge of the Croton Aqueduct Board, who shall keep the same in good order and condition, and clean and free from obstructions; and shall cause such repairs to be made to them and to the receiving basins, culverts and openings connected therewith, as may from time to time become necessary.

§ 358. The Croton Aqueduct Board shall prescribe the mode of piercing or opening any of the sewers or drains, and the form, size and material of which connections made therewith shall be composed.

§ 359. They may, with the consent of the Street Commissioner, grant permission to persons to con-

struct, at their own expense, sewers or drains, or to lay pipes to connect with any sewers or drains built in any of the streets or avenues in the city, on being furnished with the written consent of the owners of a majority of the property upon the street through which such sewer, drain or pipe is to pass ; but such permission shall not be granted, except upon the agreement, in writing, of the persons applying therefor, that they shall comply with the ordinances in relation to excavating the streets ; that they will indemnify the Corporation for any damages or costs to which they may be put by reason of injuries resulting from neglect or carelessness in performing the work so permitted, and that no claim will be made by them or their successors in interest against the Corporation, if the work so permitted be taken up by authority of the Common Council, or for exemption from an assessment lawfully imposed for constructing sewers or drains in the same vicinity ; and upon the further condition that the Common Council may at any time revoke such permission and direct such sewers, drains or pipes to be taken up or removed.

§ 360. If any connection or opening be made into any sewer or drain, without the permission authorized in the last section, or in a mode different from that prescribed therefor, the person making such connection or opening, and the owner directing it, shall respectively be liable to a penalty of fifty dollars.

§ 361. All openings into sewers or drains for the purpose of making a connection therewith, from any house, cellar, vault, yard or other premises, shall be made by persons to be licensed, in writing, for that purpose, by the Croton Aqueduct Board.

§ 362. Every person who shall be licensed, as provided in the last section, shall, before performing any work authorized thereby, execute a bond to the Corporation, in such sum as the Croton Aqueduct Board may prescribe, with one or more sufficient sureties, to be approved by the President of the Board, conditioned that he will faithfully make the openings into such sewers or drains; that he will leave no obstructions of any description whatever therein; that he will properly close up

the sewers or drains so opened; that he will make no opening into the arch of any sewer or drain; that he will properly restore the earth or pavement taken up for excavating, and repave the same, should it settle or become out of order within three months thereafter, or if he fail to do so within twenty-four hours after being notified thereof, that it may be repaved at his expense, by direction of the Croton Aqueduct Board; that he will comply with the ordinances in relation to excavating the streets, and that he will indemnify the Corporation for any damages or costs to which they may be put, by reason of injuries resulting from neglect or carelessness in making such opening, or in performing any work connected therewith.

§ 363. There shall be paid to the President of the Croton Aqueduct Board, for the use of the Corporation, for every permit to connect with a sewer or drain from any house, store or building, the sum of ten dollars; and for every hotel, boarding-house or public building, covering more than twenty-five feet by fifty feet, an additional sum in that proportion.

§ 364. There shall be paid to the President, of the Croton Aqueduct Board, for the use of the Corporation, for every permit to connect with a sewer or drain from a manufactory, brewery, distillery, or the like, for the purpose of carrying off water or fluid which shall not deposit sediment or obstruction, such sum as shall be fixed by the Croton Aqueduct Board.

§ 365. Any person obtaining a permit as provided in the last section, who shall permit any substance which shall form a deposit or obstruction in a sewer, drain or receiving basin to flow into the same, shall be liable to a penalty of fifty dollars for each offence.

§ 366. The President of the Croton Aqueduct Board shall keep a record of all permits granted by that Board for connections with sewers or drains, in which he shall enter the names of all persons from whom he may receive money for such permits, with the amount received from each person, and the time when it was received. He shall render an account thereof, under oath, item

by item, to the Comptroller, on Thursday of each week, and shall thereupon pay over the amount so received to the Chamberlain. He shall also, thereupon, receive from the Chamberlain a voucher for the payment thereof, which he shall forthwith, on the same day, exhibit to the Comptroller, and shall, at the same time, leave with him a copy thereof. In case the President shall be temporarily absent, the Assistant Commissioner shall act in his stead.

§ 367. The Croton Aqueduct Board is hereby directed to report to the Common Council, on or before the first day of November next, a scale of annual rents for the supply of the Croton water, to be called the Regular Rents, and apportioned to different classes of buildings in the city of New York, in reference to their dimensions, value, exposure to fires, ordinary uses for dwellings, stores, shops, private stables, and other common purposes, number of families or occupants, or consumption of water, as near as may be practicable. To enable the Board to obtain the information necessary for this purpose, an enumeration and

classification of the buildings within the water district, in such tabular form as the Croton Aqueduct Board shall prescribe, shall be made under the direction of the Aldermen and Assistant Aldermen of the respective wards, the expense of which shall be audited by the Croton Aqueduct Board, and paid on the warrant of the Comptroller.

### ARTICLE III.

#### OF THE BUREAUX OF THE CROTON AQUEDUCT DEPARTMENT.

##### CHAPTER I.—THE BUREAU OF WATER RENTS.

##### II.—THE BUREAU OF PIPES AND SEWERS.

##### CHAPTER I.

##### THE BUREAU OF WATER RENTS.

§ 368. This bureau, of which the Water Register is the chief officer, is charged with the duty of collecting the revenues derived from the sale of the Croton water, and has the especial charge and superintendence of the accounts of the department, under the direction of the Croton Aqueduct Board.

§ 369. The Water Register, before entering upon the duties of his office, shall execute a bond to the Corporation, with two sufficient sureties, to be approved by the Comptroller, in the penal sum of fifteen thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 370. He shall, on Thursday of each week, render to the Comptroller an account, under oath, item by item, of all moneys received by him, containing the names of the persons from whom they were received, the amounts received, and on what account and when paid, and shall thereupon pay over the amount so received to the Chamberlain.

§ 371. There shall be in this bureau, a Deputy Register, an Accountant, and two Clerks.

§ 372. The Deputy Register shall superintend, under the direction of the Register, the keeping of the accounts, the receiving of the water rents, and the issuing of permits for the use of the water, and shall generally assist the Register in the performance of his duties.



§ 373. The Accountant shall keep the accounts of the Bureau of Water Rents, under the direction of the Register, and in such manner as shall be prescribed by the Croton Aqueduct Board.

§ 374. The Clerks shall respectively prepare and copy such papers appertaining to this bureau as may be directed by the Water Register, and shall generally perform such other duties connected therewith as may be assigned them by that officer.

## CHAPTER II.

### THE BUREAU OF PIPES AND SEWERS.

§ 375. This bureau, of which the Water Purveyor shall be the chief officer, is charged with the superintendence of the laying and repairing of the water pipes, and the construction, repairing and cleaning of the sewers and underground drains.

§ 376. The Water Purveyor shall, before entering upon the duties of his office, execute a bond to the Corporation, with one or more sureties, to

be approved by the Comptroller, in the penal sum of two thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 377. He shall make all estimates necessary to the laying and repairing of the water pipes, and the construction, repairing and cleaning of the sewers and underground drains, when required by the Croton Aqueduct Board.

§ 378. He shall keep correct accounts of the time of the men employed, and the work upon which they are engaged, and the expense attending the same, when it is not done by contract, and shall report the same, under oath, once in each week, to the Croton Aqueduct Board.

§ 379. He shall examine, audit and certify to the Croton Aqueduct Board, all accounts for supplies furnished, or work done under his supervision, and as to the fulfillment or breach of any contract to be performed under his direction.

§ 380. He shall, from time to time, examine the state of the water pipes, sewers and underground

drains, and report all repairs thereof, which in his judgment may be necessary, to the Croton Aqueduct Board.

§ 381. He shall, in all matters connected with his bureau, be under the control, direction and supervision of the Croton Aqueduct Board, and in addition to the duties prescribed by this chapter, shall perform such other duties appertaining to the Croton Aqueduct Department as may be required of him by that Board.

**TITLE VIII.**

**OF THE CITY INSPECTOR'S DEPARTMENT.**

**ARTICLE I.—OF THE CITY INSPECTOR'S DEPARTMENT, GENERALLY.**

**II.—OF THE CITY INSPECTOR, AND HIS CLERK.**

**III.—OF THE DEPUTY CITY INSPECTOR.**

**ARTICLE I.**

**OF THE CITY INSPECTOR'S DEPARTMENT, GENERALLY.**

§ 382. The City Inspector's Department shall have cognizance of all matters relative to the health of the city.

**ARTICLE II.**

**OF THE CITY INSPECTOR AND HIS CLERK.**

§ 383. The chief officer of the City Inspector's Department, shall be denominated the City Inspector.

§ 384. The City Inspector, before entering upon the duties of his office, shall execute a bond to

the Corporation, with at least two sureties, to be approved by the Mayor, and filed in the office of the Comptroller, in the penal sum of five thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 385. The City Inspector shall take all necessary measures to ascertain every nuisance which may exist in the city of New York, and to cause it to be forthwith removed.

§ 386. He shall cause all putrid and unsound beef, pork, fish, hides or skins, all dead animals, and every putrid, offensive, unsound or unwholesome substance found in any street or other place in the city, to be forthwith removed and cast into the river, at least three hundred yards from the nearest wharf, or otherwise disposed of so as most effectually to secure the public health.

§ 387. He shall inspect or cause to be inspected, all privies, sinks and cesspools in the city of New York, and see that the same are built according to law.

§ 388. He shall license such persons as may be proper to act as night scavengers, all or any of whom he may at any time displace and appoint others in their stead, and shall make such rules and regulations for their government as he may deem proper.

§ 389. He shall keep a register in which he shall enter the situation of all such sinks and privies as he shall authorize to be emptied, and the days on which the emptying thereof shall be required.

§ 390. He shall cause all such boarding and lodging houses as the Board of Health shall direct, to be examined, and shall report to that Board the number of each house and the name of the street in which it is situated; the name of the tenant or occupant; the number of lodgers or boarders therein, with their names and occupations; the number of apartments therein, and the apartments used as lodging rooms.

§ 391. He shall inspect or cause to be inspected, all houses reported as mentioned in the last sec-

tion, as often as he shall deem necessary, and at least once in each week, between the first day of May and the first day of November, in each year.

§ 392. He shall obey all orders and instructions given by the Board of Health, pertaining to the performance of all or any of his duties.

§ 393. He shall receive and file in his office, all reports directed to be made to him by measurers, weigh-masters and inspectors, and shall make an aggregate report thereof to the Common Council, during the month of January, in each year.

§ 394. He shall, from time to time, report to the Common Council respecting all lots, yards, buildings, cellars, alleys, sinks, vaults, cesspools, privies, public and private docks and slips, and common sewers, which shall require cleansing, altering or repairing, in order to preserve the health of the city.

§ 395. He shall report to the Common Council and to the Board of Health, all circumstances which shall come to his knowledge, endangering the health of the city, or prejudicial thereto.

§ 396. He shall report to the Common Council suitable ordinances for the correction and removal of nuisances, and when the same shall be passed, shall record them in his office, and cause copies thereof to be served on the persons whose duty it shall be to correct, abate or remove such nuisances.

§ 397. He shall keep a register of the names of all persons returned as dead, which shall be open at all convenient times to public inspection.

§ 398. He shall publish, on Tuesday of each week, in the Corporation papers, a list of the deaths occurring during the preceding week, with the sexes, ages and diseases of the persons so dying; and during the month of January in each year, he shall report to the Common Council and publish in like manner, the whole number of deaths in the city during the preceding year, with the sexes, ages and diseases of the persons so dying.

§ 399. He shall superintend the enforcement of all the ordinances relating to his department; shall report to the Common Council all delinquencies



therein, and shall, from time to time, suggest to the Common Council such alterations or improvements in the ordinances connected with his department, or any branch thereof, as he may deem proper.

§ 400. He may enter into any premises at any time between sunrise and sunset, and examine any building, cellar, vault, sink, cesspool, privy, lot, yard or alley in the city.

§ 401. He may, by an order in writing, direct any nuisance to be abated, or unwholesome matter or substance to be removed, and may prescribe the time and mode of doing so, and the place to which such offensive or unwholesome matter or substance shall be removed.

§ 402. He may cause the nuisance to be abated, or the matter or substance to be removed, in case of a neglect or refusal to comply with such order by the person whose duty it is to comply therewith, after he shall have been personally served with a copy of the order.

§ 403. He may grant permission to empty any sink, privy or cesspool, which may in his judgment

require to be emptied, when the public health will not be endangered thereby.

§ 404. He may, with the written consent of the Mayor, grant a permit for the removal of the remains of any person interred within the city to a place without the same, on the application of a relative or friend of such person, when there shall appear no just objection thereto.

§ 405. There shall be a clerk in the City Inspector's Department, who shall be denominated the Clerk to the City Inspector, and who shall prepare all reports, documents and papers appertaining to the department, and perform such other duties connected therewith as may be directed by the City Inspector.

### ARTICLE III.

#### OF THE DEPUTY CITY INSPECTOR.

§ 406. There shall be an officer in the City Inspector's Department, to be denominated the Deputy City Inspector.

§ 407. The Deputy City Inspector, before entering upon the duties of his office, shall execute a bond to the Corporation, with one or more sureties, to be approved by the Comptroller, in the penal sum of two thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 408. He shall assist the City Inspector in the performance of the duties imposed upon that officer by the last chapter, and shall for that purpose possess all the powers therein conferred upon the City Inspector.

§ 409. He shall, from time to time, report to the City Inspector, all facts within his knowledge relating to or affecting the public health, and shall perform such other duties appertaining to this department as may be directed by the City Inspector.

**TITLE IX.****OF THE ALMS HOUSE DEPARTMENT.**

§ 410. The Alms House Department shall have cognizance of all matters relating to the Alms House and Prisons of the city of New York.

§ 411. The chief officers of the Alms House Department are denominated the Governors of the Alms House, and consist of the number, derive and hold their offices, and are charged with the duties, powers and responsibilities prescribed by the act to provide for the Alms House and Penitentiary in the city and county of New York, passed April 6, 1849.

## TITLE X.

### OF THE LAW DEPARTMENT.

#### ARTICLE I.—OF THE LAW DEPARTMENT AND ITS BUREAUX, GENERALLY.

#### II.—OF THE COUNSEL TO THE CORPORATION AND HIS CLERKS.

#### III.—OF THE BUREAUX IN THE LAW DEPARTMENT.

#### ARTICLE I.

#### OF THE LAW DEPARTMENT AND ITS BUREAUX, GENERALLY.

§ 412. The Law Department shall have the charge of and conduct all the law business of the Corporation and of the Departments thereof, and all other law business in which the city shall be interested, when so ordered by the Corporation; and shall have the charge of and conduct the legal proceedings necessary in opening, widening or altering streets; and draw the leases, deeds and other papers connected with the Finance Department.

§ 413. There shall be two bureaux in the Law Department:—

1. A bureau for the prosecution of all actions for violations of the ordinances of the Common Council, or arising under the charter of the city, or under the laws of this state, where a penalty is given to the Corporation, or to the Overseers of the Poor, or to the Alms House Department, and for the conducting of all proceedings before justices, or upon appeal, in relation to bastardy cases and prosecutions upon bastardy and abandonment bonds, to be called the Bureau of the Corporation Attorney:

2. A bureau for the administration of the estates of persons dying intestate, where no other administrator is appointed, to be called the Bureau of the Public Administrator.

## ARTICLE II.

### OF THE COUNSEL TO THE CORPORATION AND HIS CLERKS.

§ 414. The chief officer of the Law Department shall be denominated the Counsel to the Corporation.

§ 415. The Counsel to the Corporation shall, before entering upon the duties of his office, execute a bond to the Corporation, with two sufficient sureties, to be approved by the Mayor, and filed in the office of the Comptroller, in the penal sum of five thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 416. He shall, from time to time, when required, advise the Common Council, the Board of Supervisors and the Board of Health, and their committees and officers respectively, and the head of any department or bureau of the Corporation, upon all matters which may be submitted to him for his opinion.

§ 417. He shall draw such ordinances as may be required of him by either Board of the Common Council, or by any committee thereof.

§ 418. He shall, when required by the Common Council, prepare the draft of any bill to be presented by the Corporation of the city, to the Legislature for passage, with a proper memorial for the passage thereof.

§ 419. He shall draw the leases, deeds and other papers connected with the Finance Department, and all contracts for any of the other departments of the Corporation, when so required by the head of the department.

§ 420. He shall prosecute and defend, as the Attorney and Counsel of the Corporation, all actions which may be brought by or against them, or any of the heads of department or bureaux, or any officer thereof, for or by reason of any matter or duty connected with or growing out of their respective offices, or in which the Corporation are interested, in any court in this state, except actions by or against the Public Administrator, as provided in section 448, and actions for violations of the ordinances of the Common Council, or arising under the charter of the city, or under the laws of this state, where a penalty is given to the Corporation, or to the overseers of the poor, or to the Alms House Department, and except proceedings before justices, or upon appeal, in relation to bastardy cases, and prosecutions upon bastardy and abandonment bonds.



§ 421. When he shall recover a debt due to the Corporation, which may have been placed in his hands for collection, he shall forthwith render an account thereof, under oath, to the Comptroller, stating the nature of the debt, the person against whom it was recovered, and the amount and time of the recovery, and shall immediately thereupon pay over the amount so received to the Chamberlain. He shall also thereupon receive from the Chamberlain a voucher for the payment thereof, which he shall forthwith, on the same day, exhibit to the Comptroller, and shall, at the same time, leave with him a copy thereof.

§ 422. He shall, on the twentieth day of December in each year, report to the Common Council the titles of all actions in his hands, prosecuted or defended by him, as provided in section 420, and then pending and undetermined, with such other information in respect thereto, as he may deem necessary or proper.

§ 423. He shall keep in proper books, to be provided for that purpose, a register of all actions

prosecuted or defended by him, as provided in section 420, and of all proceedings had therein.

§ 424. He shall, on the first Monday of January, April, July and October, in each year, furnish to the Comptroller an account, under oath, of all disbursements which he may have made in conducting the actions prosecuted or defended by him, as provided in section 420; and upon being satisfied of the correctness thereof, the Comptroller shall draw his warrant in favor of the Counsel, for the amount so disbursed.

§ 425. The salary to be paid to the Counsel to the Corporation, shall be a full compensation, as between him and the Corporation, for all the services he may be required to render by this article. He shall, nevertheless, be entitled to receive from parties other than the Corporation, the taxable costs in all actions and proceedings which may be conducted, prosecuted or defended by him as such Counsel, as provided in section 420.

§ 426. Upon the expiration of his term of office, or his resignation thereof, or removal therefrom,

the Counsel to the Corporation shall forthwith, on demand, deliver to his successor in office, all deeds, leases, contracts and other papers in his hands, belonging to the Corporation, or delivered to him by the Corporation, or any of its officers, and all papers in actions prosecuted or defended by him, as provided in section 420, then pending and undetermined, together with his register thereof, and of the proceedings therein, and a written consent of substitution of his successor, in all such actions then pending and undetermined.

§ 427. He shall, from time to time, report to the Common Council the condition of the Law Department, and shall suggest such improvements and alterations in respect thereto, as he shall deem necessary or proper.

§ 428. There shall be two clerks in the Law Department, to be denominated respectively the first and second Clerks of the Counsel to the Corporation, who shall prepare and copy such papers relating to the department, and perform such other services in relation thereto, as the Counsel to the Corporation shall direct.

**ARTICLE III.**

**OF THE BUREAU IN THE LAW DEPARTMENT.**

**CHAPTER I.—THE BUREAU OF THE CORPORATION ATTORNEY.**

**II.—THE BUREAU OF THE PUBLIC ADMINISTRATOR.**

**CHAPTER I.**

**THE BUREAU OF THE CORPORATION ATTORNEY.**

§ 429. This bureau, the chief officer of which shall be called the Corporation Attorney, is charged with the prosecution of all actions for violations of the ordinances of the Common Council, or arising under the charter of the city, or under the laws of this state, where a penalty is given to the Corporation, or to the overseers of the poor, or to the Alms House department, and with the conducting of all proceedings before justices, or upon appeal, in relation to bastardy cases, and the prosecution of bastardy and abandonment bonds.

§ 430. The Corporation Attorney shall, before entering upon the duties of his office, execute a bond to the Corporation, with one or more sureties, to be approved by the Comptroller, in the penal sum of two thousand dollars, conditioned for the faithful performance of the duties of his office.

§ 431. He shall institute an action in any of the cases mentioned in section 429, when instructed to do so by the Common Council, or the chief officer of any department or bureau, or upon the complaint of any other person, when in his judgment the public interest requires that the same should be prosecuted.

§ 432. He may compromise with the party complained of, either before or after an action shall have been brought, any violation of an ordinance of the Common Council, where the penalty does not exceed twenty-five dollars, and where in his judgment the public interest does not require that an action should be prosecuted therefor.

§ 433. In all actions which he is required by section 429 to prosecute, he shall appear as the Attorney and Counsel of the Corporation.

§ 434. He shall not bring an appeal in any action in which judgment shall have been given against the Corporation, except with the consent of the Counsel to the Corporation, or by direction of the Common Council.

§ 435. He shall, on the first Thursday in each month, report to the Comptroller a statement, under oath, of the actions instituted by him and settled before judgment; of the complaints compromised by him in which no action shall have been commenced, and of all actions prosecuted to judgment, with the result thereof, whether for or against the Corporation, and whether an execution has been issued thereon, and if so, whether it has been collected; and shall include therein a particular account, item by item, of all penalties or other moneys which he may have received for the Corporation, and from whom they were received, respectively, and on what account and when paid. He shall also state therein, item by item, an account of officers or court fees paid by him, and on what account and when they were respectively paid, and shall exhibit at the foot of the account

the balance thereof, whether for or against the Corporation.

§ 436. If the account shall exhibit a balance in his hands in favor of the Corporation, he shall forthwith pay over such balance to the Chamberlain, and shall thereupon receive from the Chamberlain a voucher for the payment thereof, which he shall forthwith, on the same day, exhibit to the Comptroller, and shall, at the same time, leave with him a copy thereof.

§ 437. If the account exhibit a balance against the Corporation, the Comptroller, upon being satisfied of the correctness thereof, shall draw a warrant in favor of the Corporation Attorney for the amount of such balance ; but in every such case he shall report the fact, with the account so rendered, to the Common Council.

§ 438. Every officer employed by the Corporation Attorney to serve process in an action brought by him, in the name of the Corporation, shall pay to the Corporation Attorney, all moneys which he may receive, both for penalty and costs, upon a

judgment, and the Corporation Attorney shall, at least once in each month, pay every officer so employed by him his legal costs and fees.

§ 439. He shall, on the twentieth day of December in each year, report to the Common Council, the titles of all the actions in his hands which he is authorized by section 429 to prosecute on behalf of the Corporation, then pending and undetermined, with the state thereof, and with such other information in respect thereto as he may deem necessary or proper.

§ 440. He shall keep in proper books, to be provided for that purpose, a register of all actions prosecuted by him, pursuant to section 429, and of all proceedings had therein.

§ 441. The salary to be paid to the Corporation Attorney, shall be a full compensation as between him and the Corporation for all the services he may be required to render by this chapter; but he shall nevertheless be entitled to receive from adverse parties, the taxable costs in all actions in which he may recover judgment against them.



§ 442. Upon the expiration of his term of office, or his resignation thereof, or removal therefrom, the Corporation Attorney shall forthwith, on demand, deliver to his successor in office, all papers in his hands belonging to or delivered to him by the Corporation, or the Alms House Department, or any of their officers, and all papers in actions prosecuted by him, as authorized by section 429, and which are then pending and undetermined; together with his register thereof, and of the proceedings therein, and a written consent of substitution of his successor in all such actions then pending and undetermined.

§ 443. There shall be two clerks in this bureau, to be denominated respectively the first and second Clerks of the Corporation Attorney, who shall prepare and copy such papers relating to this bureau, and perform such other services in relation thereto as the Corporation Attorney shall direct.

## CHAPTER II.

## THE BUREAU OF THE PUBLIC ADMINISTRATOR.

§ 444. This bureau, the chief officer of which shall be called the Public Administrator, is charged with the administration of the estates of persons dying intestate, where no other administrator is appointed.

§ 445. The Public Administrator shall, before entering upon the duties of his office, execute a bond to the Corporation, with such sureties as shall be approved by the Mayor or Recorder of the city of New York, in the penal sum of ten thousand dollars, conditioned for the faithful discharge of all duties enjoined on him by law, and particularly, that he will account for and pay over all moneys and property which may come to his hands as such administrator, according to law.

§ 446. He shall possess the powers, and perform the duties, conferred and imposed upon him by the laws of this state.

§ 447. He shall furnish the Comptroller with copies of all letters of administration which shall be granted to him, within three days after the granting thereof.

§ 448. He may employ an attorney or counsel in any action commenced by or against him, where the creditors or persons interested in the distribution of the estate, shall advise or assent to the prosecution or defence thereof, and where the funds belonging to the estate are sufficient to pay the costs and fees incurred therein. But in no such case shall a charge for costs or fees be made against the Corporation by the Public Administrator, or by the attorney or counsel employed by him.

§ 449. He shall, on the twentieth day of December in each year, report to the Common Council, the titles of all actions prosecuted by or against him, and then pending and undetermined, with such other information in respect thereto as he may deem necessary or proper.

§ 450. He shall report to the Comptroller, on the first Thursday in each month, and oftener if

required, the amount of money received by him since his last return, on account of any estate upon which he shall have administered.

§ 451. He shall render to the Common Council, on the first day of January in each year, or within fourteen days after that day, a statement, on oath, and in a tabular form, of the following particulars in each case in which he shall have taken charge of and collected any effects, or in which he shall have administered on any estate during the preceding year:

1. The name of the deceased ;
2. His occupation ;
3. The place of his residence at the time of his death ;
4. The country or place from which he came, if he were not a resident of this state at the time of his death ;
5. The moneys received for commissions and expenses ;

6. The total amount of his receipts and expenditures ;
7. The total amount of debts ascertained and allowed ;
8. The amount of costs ;
9. The amount distributed ;
10. The date of the letters of administration.

§ 452. He shall, at the same time, report to the Common Council, a transcript of such of his accounts as have been closed, or finally settled, and of those on which any money has been received by him as part of the proceeds of any estate on which he has administered.

§ 453. The Mechanics' Bank of the city of New York is hereby designated as the bank in which the Public Administrator shall deposit all moneys by him collected and received, as required by law.

§ 454. The Public Administrator must deposit all moneys by him collected and received, within

two days after the receipt thereof, in the bank designated in the last section, to the joint credit of himself and the Comptroller, except so much as may be necessary to pay the current expenses of any proceedings authorized by law, to be allowed by the Surrogate, and which shall not exceed twenty dollars in any one case.

§ 455. He shall, whenever required, exhibit to the Comptroller the bank book showing such deposits, and all other vouchers and documents relating to his office.

§ 456. The money so deposited can be drawn out only on the joint check of the Public Administrator and the Comptroller, in the cases where by law, the Public Administrator is required to pay out moneys; and the Comptroller must preserve a register of all checks signed by him, as a part of the documents of his office.

§ 457. The Comptroller, before signing any check for money so deposited, shall examine the bank book showing the deposit, and the vouchers on which the check is required to be drawn, and

shall satisfy himself fully as to the correctness thereof; and in case of doubt or difficulty, he shall report the case to the Common Council for their direction.

§ 458. The Comptroller may distribute and pay any unadministered balance of an intestate's estate, remaining in the city treasury, to the persons legally entitled thereto, whenever he and the Public Administrator shall be satisfied that the person claiming the same is legally entitled thereto; but if they be not satisfied thereof, they shall report the case to the Common Council for their direction.

**TITLE XI.****OF THE FIRE DEPARTMENT.**

§ 459. The Fire Department shall continue to be organized as it now exists, and to exercise the powers, perform the duties, and enjoy the privileges conferred and imposed upon it by the charter of the city, and the various acts amending the same, by the laws of this state, and by the ordinances and resolutions of the Common Council.

§ 460. The Chief Engineer may take any fire engine, hook and ladder, or hose truck, from any company to which it is assigned, and place the same in the public yard, or assign it to another company, and shall forthwith report the same to the Common Council for their action.

§ 461. All firemen attached to a company, whose engine, hook and ladder, or hose truck, shall have been ordered to the public yard by reason of an insufficient complement of men to manage the same, shall be attached by the Chief Engineer to any other company to be designated



by such firemen, or if they refuse to designate another company, the Chief Engineer shall report such refusal to the Common Council for their action.

§ 462. If a fire company shall vote for the expulsion of a fireman belonging thereto, the same shall be forthwith reported by the Chief Engineer to the Common Council for their action.

§ 463. All complaints by the Chief Engineer or Assistant Engineers, against firemen for misconduct in the performance of their duties, shall be forthwith reported to the Common Council for their action.

§ 464. When a report shall be made to the Common Council, as provided in the last two sections, it shall not be finally acted upon by them, until it shall have been referred to a committee, to ascertain and report the facts, with a full opportunity to the party complained of, to be heard in his defence.

## PART III.

### MISCELLANEOUS PROVISIONS RESPECTING THE EXECUTIVE DEPARTMENTS OF THE COR- PORATION AND THEIR OFFICERS.

**TITLE I.—OF THE APPOINTMENT OF THE OFFICERS  
OF THE DEPARTMENTS AND BUREAUX,  
THEIR OATHS OF OFFICE, AND THEIR  
REMOVAL.**

**II.—OF THE ACCOUNTABILITY OF THE OF-  
FICERS OF THE DEPARTMENTS AND  
BUREAUX.**

**III.—OF CONTRACTS FOR SUPPLIES AND WORK  
FOR THE CORPORATION.**

## TITLE I.

**OF THE APPOINTMENT OF THE OFFICERS OF THE DE-  
PARTMENTS AND BUREAUX, THEIR OATHS  
OF OFFICE, AND THEIR REMOVAL.**

§ 465. The Common Council shall, on or before  
the thirty-first day of May, 1849, appoint the chief  
officers of the several departments hereby organ-

ized, except the Police Department, the Croton Aqueduct Department, the Alms House Department, and the Fire Department.

§ 466. They shall in like manner appoint the chief officers of the bureaux of the several departments hereby organized, except the Receiver of Taxes, and Deputy Receiver of Taxes, the officers of the bureaux of the Croton Aqueduct Department, the officers of the bureaux of the Alms House Department, the Chief Engineer of the Fire Department, and the officers and firemen attached to the Fire Department.

§ 467. They shall in like manner appoint the clerks and other subordinate officers of the several departments and bureaux, except where the appointment of those clerks or officers is conferred by the laws of this state upon the Mayor, the Croton Aqueduct Department, and the Alms House Department, and except also where this ordinance provides otherwise.

§ 468. The officers to be appointed by the Common Council, as authorized by the last three sec-

tions, shall hold their respective offices until the thirty-first day of December next inclusive, and until their successors shall be respectively elected or appointed and qualified.

§ 469. The heads of the several executive departments hereby organized, except the Mayor, and the chief officers of the Croton Aqueduct Department, the Alms House Department and the Fire Department respectively, shall be elected at the next general state election, shall enter upon their respective offices on the first day of January, 1850, and shall hold the same respectively for the term prescribed by the act of April 2, 1849, to amend the charter of the city of New York.

§ 470. The successors of the heads of the several departments, whose election is provided for in the last section, shall be elected at the general state election in every third year after the next general state election, unless a vacancy should occur in any of their offices, in which case, the Mayor, by and with the advice and consent of the Board of Aldermen, shall appoint a person to fill the same, until the vacancy shall be filled by the electors of the city of New York at the then next election.

§ 471. If a vacancy occur in the office of any of the heads of departments to be appointed by the Common Council, as prescribed by section 465, the Mayor, by and with the advice and consent of the Board of Aldermen, shall appoint a person to fill the same, who shall hold his office for the unexpired term of the person in whose place he shall be appointed.

§ 472. If a vacancy occur in the office of any of the heads of bureaux, to be appointed by the Common Council, as prescribed by section 466, or in the office of a clerk or subordinate officer of a department, to be appointed by them as prescribed by section 467, the head of the department in which the vacancy shall occur, shall, by and with the advice and consent of the Board of Aldermen, appoint a person to fill the same, who shall hold his office for the unexpired term of the person in whose place he shall be appointed.

§ 473. If a vacancy occur in the office of a clerk of a bureau, to be appointed by the Common Council, as prescribed by section 467, the head of the

bureau in which the vacancy shall occur, shall, by and with the advice and consent of the Board of Aldermen, appoint a person to fill the same, who shall hold his office for the unexpired term of the person in whose place he shall be appointed.

§ 474. The Mayor shall nominate, and by and with the consent of the Board of Aldermen, appoint the Chamberlain of the City of New York, and the chief officers of the Croton Aqueduct Department, and when the term of office of the present Receiver of Taxes shall expire, or a vacancy shall occur in his office, shall in like manner nominate and appoint his successor.

§ 475. The Chief of Police shall be nominated by the Mayor to the Common Council, and with their approval shall be appointed by the Mayor.

§ 476. The terms of office of the several officers not herein provided for shall, be as provided by the laws of this state.

§ 477. The Mayor shall appoint, by and with the advice and consent of the Board of Aldermen,

all officers whose appointment is not herein otherwise provided for.

§ 478. All officers of the Corporation created by this ordinance shall, before they enter on the duties of their respective offices, take and subscribe before the Mayor, and file in his office, the following oath or affirmation :

“I do solemnly swear (or affirm, as the case may be), that I will support the constitution of the United States, and the constitution of the state of New York ; and that I will faithfully discharge the duties of the office of \_\_\_\_\_, according to the best of my ability.”

§ 479. The chief officer of a department may remove any clerk in his department, or in any bureau thereof, with the consent of the Mayor.

§ 480. Any officer of the city government, except the Mayor and members of the Common Council, and except where provision is otherwise made by the laws of this state, may be removed from office by concurrent resolution of both branches of the Common Council ; provided that

no removal shall take place until the party sought to be removed has had an opportunity to be heard in his defence, and unless two-thirds of the whole number of both branches vote therefor; and provided also, that the cause of such removal shall be entered at large upon the journals of both branches of the Common Council.

§ 481. The Board of Assistant Aldermen shall have the sole power of impeachment of all city officers, not otherwise provided for; and pending such impeachment, and until the final disposition thereof, the party impeached shall not exercise any of the functions of his office.

§ 482. The Board of Aldermen shall have the sole power to try all impeachments; and when sitting for that purpose, they shall be on oath or affirmation, truly and impartially to try the impeachment according to evidence; and no person shall be convicted without the concurrence of two-thirds of all the members elected to that Board.

§ 483. Judgment in case of impeachment shall not extend farther than removal from office and



disqualification to hold any office under the city charter; but the party convicted shall be liable to indictment, trial, judgment and punishment, according to law.

## TITLE II.

### OF THE ACCOUNTABILITY OF THE OFFICERS OF THE DEPARTMENTS AND BUREAUX.

§ 484. In all cases, except where this ordinance otherwise provides, the heads of departments and other persons applying to the Comptroller for warrants for money to be by them disbursed, shall furnish that officer with the following vouchers :

1. When a payment shall have been completed by the signing of a pay-roll, the pay-roll or a copy thereof, signed by the party receiving the money, shall be filed with the Comptroller.

2. When a demand shall have been settled by giving a receipt, the receipt or a copy thereof, signed by the party receiving the money mentioned therein, shall be filed with the Comptroller.

3. When payments are made for supplies furnished for the use of the Corporation, the original bill or a copy thereof, with a receipt thereon, signed by the party receiving the money mentioned therein, shall be filed with the Comptroller.

4. When supplies have been furnished or work done, not coming within any particular department, and which in their nature are not subject to any general regulation, the account therefor shall be accompanied by an affidavit that the supplies have been furnished or work done, and that the charge therefor is in all respects just, which shall be filed with the Comptroller.

§ 485. All officers or other persons to whom the collection or receipt of public moneys is entrusted, and who are required by the laws of this state, or by this or any other ordinance of the Common Council, to pay the same to the Chamberlain, or to make a report thereof to the Comptroller, shall furnish the account or report, under oath, at the time, and in the manner required by such law or ordinance.

§ 486. In case of any neglect or refusal to make such payment or report, the Comptroller shall forthwith report the same to the Common Council, who may thereupon suspend or remove the delinquent from office, if he be an officer of the Corporation.

§ 487. If such delinquency shall occur during a recess of the Common Council, the Comptroller shall forthwith report the same to the Mayor, and may thereupon, with the consent of the Mayor, suspend the delinquent from office, if he be an officer of the Corporation; which suspension shall continue until the action of the Common Council thereon.

§ 488. If the Comptroller, with the consent of the Mayor, shall suspend an officer of the Corporation from office, as authorized by the last section, he shall report such suspension, with the facts on which it was founded, to the Common Council at its next session.

§ 489. Every officer of the Corporation intrusted with the receipt or disbursement of the public

moneys, shall exhibit the books and vouchers of his office to the Mayor, the Comptroller, the head of his department, or any member of the Common Council, at all reasonable times, when so required.

§ 490. If he shall omit or refuse to do so, the like proceedings may be had against him, as are provided in sections 486, 487 and 488.

§ 491. No officer of the Corporation who shall receive a fixed salary or rate of compensation for his services, shall be entitled to extra compensation for any service which he may render to the Corporation, or which may be required of him by an ordinance or resolution of the Common Council, the Board of Supervisors, or the Board of Health, unless provision be expressly made for such extra compensation by the ordinance or resolution requiring the service.

**TITLE III.****OF CONTRACTS FOR SUPPLIES AND WORK FOR THE CORPORATION.**

§ 492. All supplies to be furnished, or work to be done for the Corporation, whether they are to be paid for out of the city treasury, or out of trust moneys under the control of, or to be assessed or collected by the Corporation, shall be furnished or performed by contract, except for printing, and where provision is otherwise made by this ordinance.

§ 493. All contracts to be entered into on the part of the Corporation, for the purposes mentioned in the last section, must be authorized by the Common Council, and when so authorized shall be made by the department under whose direction the supplies are to be furnished, or the work performed, except that contracts for stationery for the Common Council, the Board of Supervisors, the Board of Health, and the Departments, Bureaux and officers of the Corporation, and for fuel

for the public buildings and offices, other than those attached to the Alms House Department, shall be made by the Comptroller.

§ 494. No such contract shall be made, until proposals therefor have been advertised, and estimates received and decided upon, as provided by this ordinance, except when otherwise provided by law. And no contract for a sum exceeding five hundred dollars shall be signed or executed, until such contract, and all the estimates relating thereto, shall have been laid before the Common Council, and an appropriation made therefor.

§ 495. The several departments who are empowered by section 493 to make contracts on the part of the Corporation, shall issue proposals for estimates therefor, and advertise the same in the Corporation papers for at least ten days before the day on which the estimates are to be opened.

§ 496. The proposals for estimates shall be in such form as may be prescribed by the department making the same, and shall contain the following particulars :

1. They shall require that the person making the estimate shall furnish the same in a sealed envelope, to the head of the appropriate department, at his office, on or before a day and hour therein named, not less than ten days from the first publication thereof.

2. They shall state the quantity and quality of the supplies, or the nature and extent, as near as possible, of the work required.

3. They shall state that the estimates received will be publicly opened by the head of the department issuing the proposals, at his office, at a day and hour therein mentioned.

4. They shall state the amount in which security is required for the performance of the contract.

5. They shall state briefly the several matters required by the next four sections, to be contained in or to accompany the estimates.

§ 497. Each estimate shall contain:

1. The name and place of residence of the person making the same ;

2. The names of all persons interested with him therein, and if no other person be so interested, it shall distinctly state that fact;

3. That it is made without any connection with any other person making an estimate for the same purpose, and is in all respects fair, and without collusion or fraud.

4. That no member of the Common Council, head of a department, chief of a bureau, deputy thereof, or clerk therein, or other officer of the Corporation, is directly or indirectly interested therein, or in the supplies or work to which it relates, or in any portion of the profits thereof.

§ 498. It shall be verified by the oath, in writing, of the party making the estimate, taken before the Mayor or Recorder, that the several matters stated therein are in all respects true.

§ 499. It shall be accompanied by the consent, in writing, of two householders or freeholders in the city of New York, to the effect that if the contract be awarded to the person making the estimate, they will, upon its being so awarded, be-



come bound as his sureties for its faithful performance, and that if he shall omit or refuse to execute the same, they will pay to the Corporation any difference between the sum to which he would be entitled upon its completion, and that which the Corporation may be obliged to pay to the next highest bidder to whom the contract may be awarded.

§ 500. The consent mentioned in the last section shall be accompanied by the oath, in writing, of the persons signing the same, to be taken before the Mayor or Recorder, that each is a householder or freeholder in the city of New York, and is worth double the amount of the security required for the completion of the contract, and stated in the proposals as prescribed by section 496, and by a certificate of either of those officers, or of the Comptroller, that the persons signing the consent are sufficient sureties for the completion of the contract.

§ 501. At the time and place appointed for that purpose in the proposals, as prescribed by section

496, the head of the department issuing the proposals shall publicly open and read all estimates which he may have received for the contract mentioned in such proposals, and shall reject all estimates which are not furnished in conformity with sections 497, 498, 499 and 500 ; and shall thereupon award the contract to the lowest bidder, or if he shall decline or shall not execute the contract, to the next lowest bidder, and so on until the same shall be executed.

§ 502. When proposals are issued for a contract to furnish oil, stationery, fuel, or any other article of which a sample can conveniently be furnished, the head of the department issuing the same may require that such sample be delivered at his office, or at the office of the head of the appropriate bureau in his department, within such time before the opening of the estimates, as he may prescribe ; and if it be not so furnished, or do not conform to the quality required by the proposals, the estimate delivered by the person furnishing or omitting to furnish the same, as the case may be, shall be rejected.

§ 503. In all contracts for work for the Corporation, where provision is made for the payment of the contract price by instalments, a provision shall be inserted that the contractor shall allow ten per cent. of the contract price of the work actually done, to remain as security, till the whole work shall be completed according to the contract.

§ 504. In all contracts for work for the Corporation, provision shall be made that evidence, satisfactory to the head of the appropriate department, that all persons who have performed work, or furnished materials for the performance of the contract, have been fully paid therefor, according to their respective agreements with the contractor, shall be furnished before the last instalment due on the contract shall be paid; or if they have not been paid, that security, satisfactory to the head of the department, shall be given by the contractor, that all such demands for work or materials shall be paid within ten days after the payment of the last instalment.

§ 505. In all contracts for work for the Corporation, upon any public building, or in any public

street or place, in the performance of which accidents or injuries may happen to the person or property of another, a provision shall be inserted, that the contractor shall place proper guards for the prevention of accidents, and shall put up and keep at night suitable and sufficient lights during the performance of the work, and that he will indemnify the Corporation for any damages or costs to which they may be put by reason of injury to the person or property of another, resulting from negligence or carelessness in the performance of the work.

§ 506. Every contract for supplies or work for the Corporation, shall be executed by the contractor, and shall be accompanied by a bond in the penalty mentioned in the proposals therefor, executed by the persons consenting to become bound as sureties, as provided in section 499, conditioned for the faithful performance of the contract, and of every provision therein contained.

§ 507. Until the Common Council shall otherwise provide by ordinance, the ordinances and resolutions now in force, shall be applicable to the

public printing. To enable the Common Council, however, to revise the same, and to make such provision in respect thereto as the public interests may require, the Comptroller and the Counsel to the Corporation are hereby directed to report thereon to the Common Council, on or before the first day of July next, with the draft of an ordinance adapted to carry the same into effect.

§ 508. Nothing contained in this ordinance shall be construed to affect or impair any contract now in force, or to prevent the execution of any contract for which proposals have been already issued or estimates received, or the execution of which is imposed by the laws of this state upon the Corporation or any officer thereof, in any other manner than is prescribed in this ordinance.

§ 509. All ordinances and resolutions of the Common Council inconsistent with this ordinance, are repealed; but this repeal shall not affect any act done, or right accrued, under any ordinance or resolution hereby repealed. .

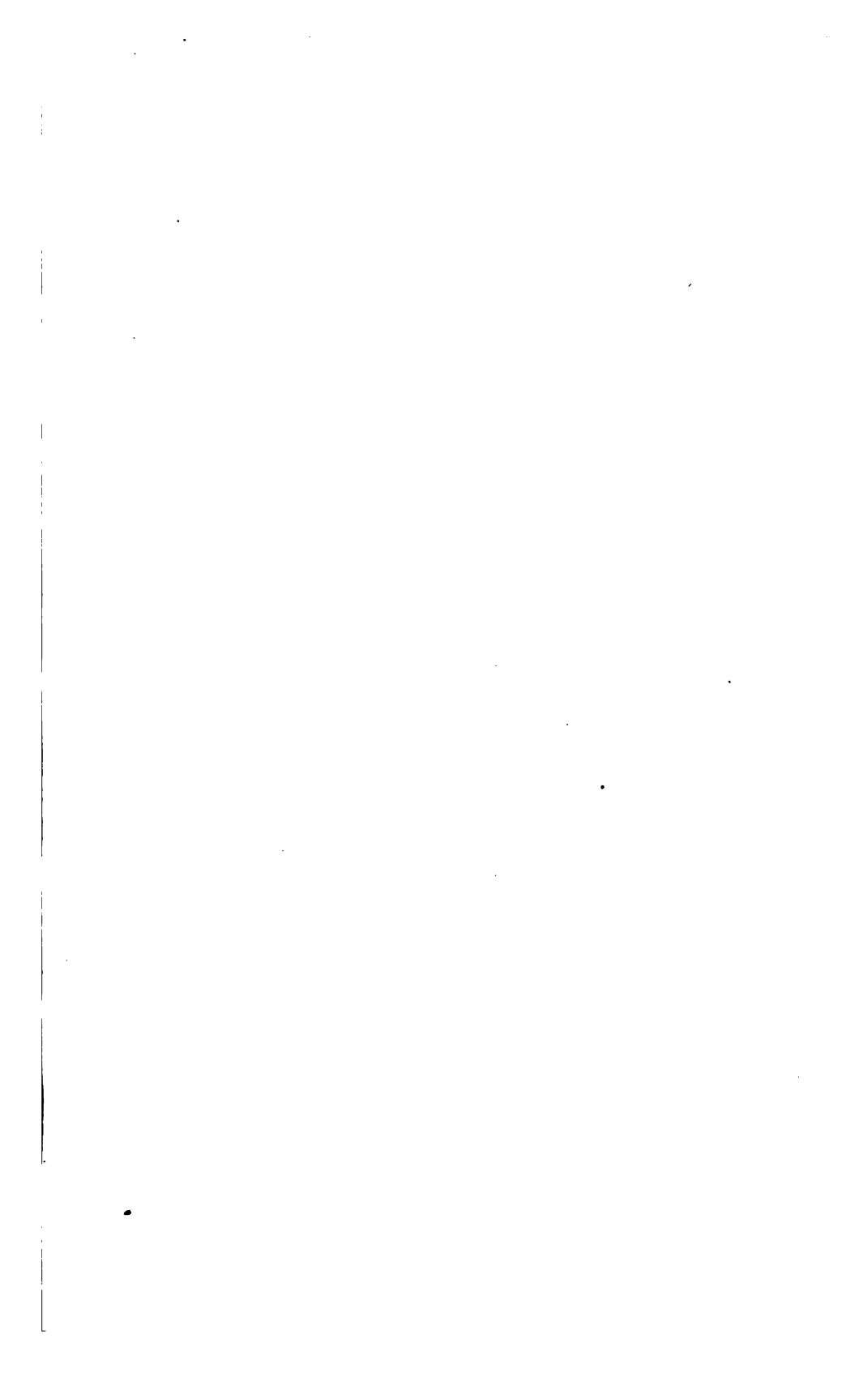
§ 510. This ordinance shall take effect immediately.

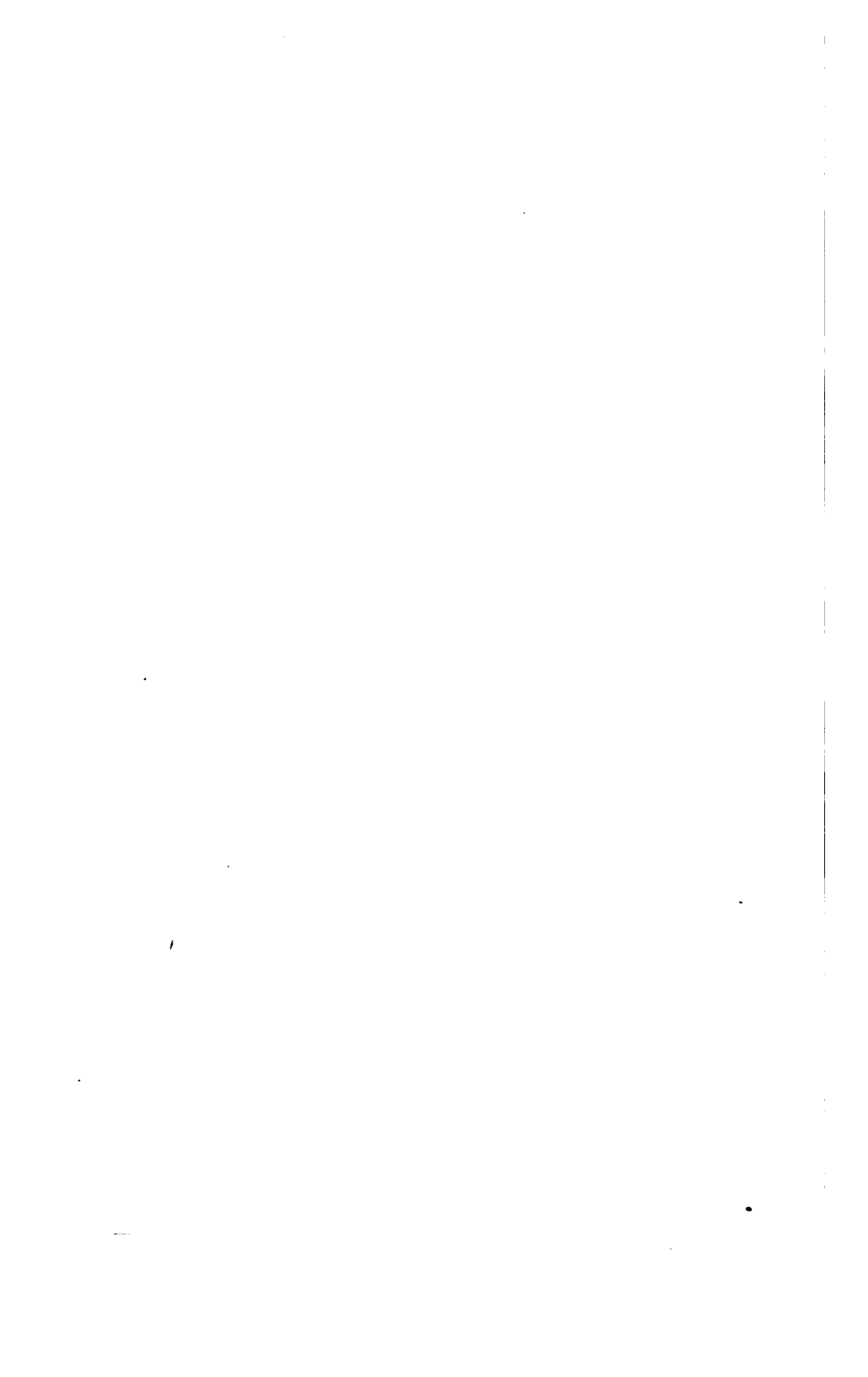
Adopted by the Board of Aldermen, on ayes and noes, May 28th, 1849.

Concurred in by the Board of Assistant Aldermen, on ayes and noes, May 29th, 1849.

Approved by the Mayor, May 30th, 1849.

D. T. VALENTINE, *Clerk C. C.*







1. The first part of the document is a list of names and addresses of the members of the committee. The names are listed in alphabetical order, and the addresses are given below each name. The list includes names such as Mr. J. H. Smith, Mr. W. B. Jones, and Mr. C. D. Brown, among others.



NOV 20 1930